

In the Court of Dipankar Pandey, Principal District & Sessions Judge, Bhagalpur, B.A. No. 297/2026 Ghashi Thakur Vs. The State of Bihar, B.A. No. 387/2026 Chotu Choudhary @ Sanjay Choudhary Vs. The State of Bihar and B.A. No.454/2026 Sagar Kumar & another, order dated 27-04-2026.

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BHAGALPUR

Bail Application No. 297/2026

Ghasi Thakur Versus State of Bihar

Bail Application No. 387/2026

Chotu Choudhary @ Sanjay Choudhary Vs. The State of Bihar

Bail Application No. 454/2026

Sagar Kumar & another Vs. The State of Bihar

Jogsar P.S. Case No. 46/2026

Counsel for the Petitioners :- Sri Aashish Kumar, Advocate.
:- Sri Sandilya Gautam Brahampuri, Advocate.
:- Sri Sanjay Kumar Sinha, Advocate.
For the State :- Sri Sridhar Kumar Singh, Special Public Prosecutor.

Date of Order	Order with Signature of the Court
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27-04-2026	1. B.A. No. 297/2026 has been filed on behalf of accused/petitioner Ghashi Thakur, B.A. No. 387/2026 has been filed on behalf of accused/petitioner Chotu Choudhary @ Sanjay Choudhary and B.A. No. 454/2026 filed on behalf of accused/petitioners, namely 1. Sagar Kumar and 2. Badal Kumar. All the aforesaid three bail applications arise out of the same case i.e. Jogsar P.S. Case No. 46/2026, instituted for offences u/s 8(c), 21 (b), 25, 29 of N.D.P.S. Act & u/s 111 BNS. The petitioners of B.A. No. 297/2026 and B.A. No. 454/2026 are in custody since 23-02-2026 and the petitioner of B.A. No. 387/2026 is in custody since 23-03-2026. Since, all the aforesaid three bail applications arise out of same case, hence, all have been taken up together for hearing & disposal by a common order. 2. On behalf of petitioners of B.A. No. 454/2026, a petition has been filed for correction in the section, which was allowed. The learned counsel was directed to make necessary correction in the section. 3. After correction, heard Sri Aashish Kumar, Sri Sandilya Gautam Brahampuri and Sri Sanjay Kumar Sinha, learned counsels for the petitioners and Sri Sridhar Kumar Singh, learned Special Public Prosecutor for the State. 4. Prosecution case as stated in the First Information Report is that on 22-02-2026, the informant S.I. Aashish Kumar of Jogsar P.S. along with other police personnel proceeded for evening patrolling duty as well as in special raid and in course whereof the informant received a secret information that in the house of Sagar Kumar situated near Shankar Talkies Deepnagar, three persons are packing brown-sugar. Thereafter, for verification and necessary action, the informant informed the Senior Officer and

Contd. 27-04-2026	the SHO made Sanha entry and informed to Sri Amar Kumar Sharma, Revenue Officer, Jagdishpur on phone. Thereafter, it is alleged that the police team proceeded and reached at the place and surrounded the house of Sagar Kumar where it was found that three persons were sitting together and they were doing work of packing. It is alleged that all the three persons were apprehended and on interrogation they disclosed their names as Sagar Kumar, Badal Kumar and Ghashi Thakur. It is alleged that for the purpose of search, notice u/s 50 of NDPS Act were served and in course of search smack like substance and one electronic weighing machine were recovered wherefrom all the aforesaid three persons were sitting. Further, from possession of Sagar Kumar two mobile phones and cash Rs. 990/- were recovered, from possession of Badal Kumar cash Rs. 6760/- was recovered whereas from possession of Ghashi Thakur cash Rs. 3216/- was recovered. In this way, total cash Rs. 10966/- was recovered. It is alleged that on weighing the recovered smack like substance it was found 10.45 grams. Accordingly, the recovered materials were seized as per seizure list. Upon being asked regarding the recovered smack, all apprehended persons jointly disclosed that they jointly purchased the same from Chotu Choudhary @ Sanjay Choudhary 4-5 days before on payment of Rs. 8000/- and after that they were packing the same. They further disclosed that two days before Chotu Choudhary @ Sanjay Choudhary has been sent to jail. They further disclosed that they used to purchase the brown-sugar from Chotu Choudhary @ Sanjay Choudhary for sell of the same. Accordingly, the apprehended accused persons were formally being arrested and they were remanded to judicial custody and on the basis of typed application of informant, the present case has been instituted. It is alleged in the FIR that when the police team came at the police station it was found that earlier Jogsar P.S. Case No. 39/2024 dated 06-04-2024 u/s 08/20(b)(ii) A NDPS Act in which charge-sheet no. 108/2025 dated 08-03-2025 has been submitted, Jogsar P.S. Case No. 232/2024 dated 26-12-2024 u/s 126(2), 115(2), 324(4), 352, 351(2), 3 (5) BNS against accused Ghashi Thakur were registered whereas against accused Badal Kumar Kotwali (Jogsar) P.S. Case No. 406/2021 dated 23-06-2021 u/s 20/22 NDPS Act 1985 is registered in which charge-sheet u/s 151/2021 dated 19-08-2021 has been submitted. 5. The learned counsels for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Entire allegation against the petitioners is false and concocted. In fact, no incriminating material has been recovered from the conscious possession of the petitioners. It has been submitted on behalf of petitioner Sagar Kumar of B.A. No. 454/2026 that as per FIR the recovery of contraband and other materials has been made from the house of
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Contd. 27-04-2026	petitioner Sagar Kumar but the said house is in joint occupation of other persons. The learned counsel for petitioner Ghashi Thakur of B.A. No. 297/2026 it has been submitted that two criminal cases are pending against him in which he is on bail. On behalf of petitioner Chotu Choudhary @ Sanjay Choudhary, it has been submitted that nine criminal cases has been reported by the police against the petitioner Chotu Choudhary @ Sanjay Choudhary but in two cases he is not accused and in two cases he is acquitted and in one case he is on bail whereas in other cases he has been made accused on the basis of confessional statement of co-accused persons. On behalf of petitioners of B.A. No. 454/2026 it has been submitted that both petitioners bear clean antecedent. The petitioners of B.A. No. 297/2026 and B.A. No. 454/2026 are in custody since 23-02-2026 whereas petitioner of B.A. No. 387/2026 is in custody since 23-03-2026. 6. On the other hand, learned Public Prosecutor vehemently opposed the prayer for grant of bail to the petitioners and submits that the petitioners are named in the FIR with specific allegation. During investigation the witnesses have supported the prosecution case. The learned Special P.P. submits that the recovery of smack and other materials has been made from the house of petitioner Sagar Kumar where other two petitioners were present and they admitted that they jointly delaing the sell and purchase of brown-sugar from Chotu Choudhary @ Sanjay Choudhary and hence all petitioners are jointly responsible for the same. The allegation is serious in nature and the investigation of the case is still going on. Further, the petitioners bear criminal antecedent. 7. Perused the case record as well as case diary. It transpires that during investigation the I.O. has recorded the restatement of the informant at para 2 of the case diary. The contents of notice u/s 50 of NDPS Act has been mentioned at para 3 of the case diary. The contents of seizure lists has been mentioned at para 4, 5, 6 and 7 of the case diary. The statements of other witnesses has been recorded at para 13 and 14 of the case diary and from perusal whereof it transpires that the witnesses have supported the prosecution case as well as the fact of recovery of contraband etc. from the house of petitioner Sagar Kumar. At para 30, 31, 35, 36, 38 and 53 of the case diary, the criminal antecedent of petitioners has been mentioned and from perusal whereof it appears that two criminal cases out of which one relates with NDPS Act has been registered against petitioner Ghashi Thakur, one criminal case which relates to NDPS Act has been registered against petitioner Badal Kumar whereas eleven criminal cases out of which some cases relates to NDPS Act are registered against petitioner Chotu Choudhary @ Sanjay Choudhary. The investigation of the present case is still going
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In the Court of Dipankar Pandey, Principal District & Sessions Judge, Bhagalpur, B.A. No. 297/2026 Ghashi Thakur Vs. The State of Bihar, B.A. No. 387/2026 Chotu Choudhary @ Sanjay Choudhary Vs. The State of Bihar and B.A. No.454/2026 Sagar Kumar & another, order dated 27-04-2026.

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on.

8. After having gone through the documents and materials available on the case record, this court finds that the petitioners are named in the FIR with specific allegation that when the police on secret information raided the house of petitioner Sagar Kumar, it was found that petitioner Badal Kumar and Ghashi Kumar were present and in their presence total 10.45 gram brown-sugar along with weighing machine etc were recovered and seized. Further, from possession of petitioners cash and mobile phones were recovered. As per FIR it is alleged that when the police interrogated from the apprehended accused persons regarding the recovered brown-sugar then all accused persons jointly disclosed that they jointly used to purchase the said brown-sugar from petitioner Chotu Choudhary @ Sanjay Choudhary and used to sell the same. It appears that the petitioners Ghashi Thakur, Chotu Choudhary @ Sanjay Choudhary and Badal Kumar bear criminal antecedent and the investigation of the case is still going on. It appears that all accused petitioners are jointly delaing in the business of sell and purchase of illegal brown-sugar which is a serious offence.
9. Therefore, considering the aforesaid facts and circumstances of the case, as discussed above and the fact that the investigation of the case is still going on, I am not inclined to release the petitioners on bail. Accordingly, the prayer for bail of all the above named four petitioners stands rejected.
10. Accordingly, all the aforesaid three bail petitions stands disposed of.

Sd/-
(Dipankar Pandey)
Principal Sessions Judge.

Date of Judgment/Order	27-04-2026
Date of Reserving Judgment/Order	N/A
Uploading Date	29-04-2026
Uploaded by	R.B.D. Tripathi, Steno