

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18038 of 2025

Arising Out of PS. Case No.-450 Year-2024 Thana- MAHNAR District- Vaishali

Deepak Kumar S/O Raj Kumar Singh R/O Vill.- Kushwaha Dharamshala,
P.S- Mahnar, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshul, Sr. Advocate Mr. Anuj Kumar, Advocate
For the Opposite Party/s	:	Mr. Rita Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-04-2025 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Mahnar P.S. Case No. 450 of 2024, registered for the offences under Sections 8(c), 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, police received information about a person selling Smack. The said person was apprehended and from his possession, recovery of 12 gram Smack was made. The apprehended co-accused Jai Kishore Singh @ Parle Jee disclosed the name of the petitioner and another co-accused Monu Kumar from whom he used to purchase the Smack.

4. Learned senior counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from person or possession and there is no material to show the involvement of the petitioner in the alleged occurrence. The petitioner has been named by the co-accused as they are on inimical terms. Learned senior counsel reiterates that nothing incriminating has been recovered from persons or possession of the petitioner. Even otherwise the seized contraband is much less than the commercial quantity though it is more than the small quantity. The petitioner is having antecedent of two cases and the petitioner is in custody since 16.01.2025 and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the remoteness of allegation and lack of substantive material against the petitioner and also considering his period of custody of the petitioner and submission of charge sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Sessions



Judge, Vaishali at Hajipur/concerned court, in connection with Mahnar P.S. Case No. 450 of 2024, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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