

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18528 of 2025

Arising Out of PS. Case No.-322 Year-2024 Thana- KORHA District- Katihar

Subham Kumar, Son of Gopal Prasad Sah, R/o- Satsang Vihar Milki Chowk,
Ward No- 10, P.S.- Maranga, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-04-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Korha P.S. Case No. 322 of 2024 dated 21.11.2024 registered for the offences punishable u/ss 8(c), 21(b) of the NDPS Act.

3. As per the prosecution case, total 26 gram smack was recovered from possession of Subham Kumar (petitioner) and the other co-accused person namely Raj Kumar Sah, out of which 20 gram smack is recovered from possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The seized contraband is 20 gm recovered from possession of the petitioner which is less than commercial quantity. It is further submitted that similarly situated co-accused Raj Kumar Sah @ Raj Kumar has already been granted regular bail by a coordinate Bench of this Court vide order dated 29.01.2025 passed in Cr. Misc. No. 3666 of 2025. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.11.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner who had no valid authorization for keeping the said contraband.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Korha P.S. Case No. 322 of 2024, with the condition -:

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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