

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20719 of 2025

Arising Out of PS. Case No.-278 Year-2024 Thana- KATIHAR MUFFASIL District- Katihar

Amar Kumar Sada @ Amar Kumar S/o- Ramvilas Sada Village- Sirsha
Chowk Dalan Purab W.No-6, Po- Dalan Ps- Katihar Muffasil Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Anukriti Jaipuriyar, Adv.

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Muffasil P.S. case No. 278 of 2024 (G.R. No. 6402 of 2024)
instituted for the offences under Sections 8(b)/20(c) of the
N.D.P.S. Act and Section 25(1-b)a/26/35 of the Arms Act.

3. As per prosecution case, on the basis of secret
information, the police raided the house of one Kaila Sada and
apprehended four persons including the petitioner. In course of
search, pistol, knife, bullet, smack weighing 3.40 grams rapped
in plastic etc. were recovered from the possession of the co-
accused whereas one lighter along with cash of Rs. 1,320/- were
recovered from the possession of the petitioner.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Petitioner is in custody since 01.12.2024 and has no criminal antecedent. The petitioner has no concern with the alleged occurrence. There is no allegation of tampering of witnesses alleged against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner except a lighter and Rs. 1,320/-. The contraband recovered from the possession of the co-accused is below small quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Learned counsel for the petitioner further submits that the co-accused Ankur Tiwari @ Ankur Kumar has already been granted bail by a Co-ordinate Bench of this Court vide order dated 05.02.2025 passed in Cr. Misc. No. 1557 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. case No. 278 of 2024 (G.R. No. 6402 of 2024).

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

