

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25795 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- FALKA District- Katihar

Raushan Kumar Son of Gauri Shankar Sah village- Falka, ps- Falka, Dist-
Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 02-05-2025 Heard learned counsel for the petitioner as well as the
counsel appearing for the respondent-State.

2. It is the first regular bail application submitted by the petitioner who has been arrested in connection with Falka P.S. Case No. 02 of 2025 for the alleged offences punishable under Section 8 (c), 21 (b) and 22 (b) of the N.D.P.S Act, 1985.

3. According to the case of prosecution, on 05.01.2025, the police officials on the basis of secret information received from the informant, the investigating officer along with police officials reached the spot and there they caught hold of the present applicant along with four other co-accused persons. It is alleged that total 1.44 gram of smack has been recovered from the petitioner.

4. It is submitted by the counsel for the petitioner that the petitioner is innocent and is falsely implicated in this case. He further submits that the quantity of the recovered smack from the present



applicant is only 1.44 gram which is a small quantity. He submits that the other co-accused persons namely Md. Samir and Md. Sakir Ali has already been granted benefit of bail by the Co-ordinate Bench of this Court vide Order dated 16.04.2025 passed in Cr. Misc No. 17184 of 2025 and Cr. Misc. No. 18306 of 2025 respectively. The present petitioner is also in custody since 06.01.2025 and has no previous antecedent. Therefore, on these grounds the petitioner may be granted benefit of bail.

5. Learned counsel appearing on behalf of respondent-State opposes the prayer of bail.

6. Considering the quantity of the seized smack and further considering the fact that the other co-accused persons had already been granted benefit of bail. I am of the view that the present applicant should also be granted the benefit of bail. Accordingly, the petition is allowed. The petitioner is directed to be released on bail in connection with Falka P.S. Case No. 02 of 2025 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties to the like amount each to the satisfaction of the learned Sessions Judge, Katihar.

(Arvind Singh Chandel , J)

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