

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24665 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- KATIHAR MUFFASIL District- Katihar

Aakash Kumar @ Golu Son of Late Binod Yadav Resident of Naya Tola,
Durga Mandir, P.S.- Nagar, Katihar, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Musowir, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Muffasil P.S. Case No. 26 of 2025 registered for the alleged offences under Sections 8(b), 21(C) of NDPS Act.

3. The allegation against the petitioner is of selling smack and recovery of 1.62 gm of smack was made from his possession.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The recovered quantity of smack is below the notified small quantity. The petitioner has got no criminal antecedent and he is in custody since 02.02.2025.



5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the recovery of less than notified small quantity from the petitioner, the petitioner above named is directed to 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 learned Sessions Judge, Katihari /concerned Court in connection with Muffasil P.S. Case No. 26 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the 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.

(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.

7. Let this matter be placed before Hon'ble the Acting Chief Justice for consideration and for appropriate action



in administrative side since it has come to the notice of this Court that the Special Courts have been rejecting the prayer for bail even in small quantity or below the notified small quantity quite regularly.

(Arun Kumar Jha, J)

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