

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25820 of 2025

Arising Out of PS. Case No.-77 Year-2025 Thana- MANJHAGARH District- Gopalganj

=====

Bijendra Kumar @ Vijendra Kumar S/o Hari Sah @ Hari Gobind Sah R/o
Village- Manjhagarh Shuda Sah Ke Tola, P.S.- Manjhagarh, District –
Gopalganj. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate

For the Opposite Party/s : Mr.Bharat Lal, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 31-07-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Manjhagarh P.S. Case No. 77 of 2025 registered for the

offence under Sections 8(C) and 21(a) of the N.D.P.S. Act.

3. The accused/petitioner is named in the F.I.R. and

is in custody since 04.03.2025.

4. The allegation against the petitioner is to have in

possession of 5.06 grams of smack like substance.

5. Learned Counsel appearing on behalf of the

petitioner submitted that the alleged contraband was

admittedly recovered in 11 sachets and if the weight of the

paper consisting of contraband be taken into consideration

then certainly the actual contraband will less than 5 grams i.e.



smaller quantity, for which the maximum punishment is extendable upto one year and same appears bailbale in nature. It is also pointed out that from the perusal of FIR, it appears that seizure, sampling and sealing *prima facie* not made following mandatory provisions of law, as available under NDPS Act, 1985. While concluding the argument, it is submitted that the investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence and, moreover, the petitioner is a man of clean antecedent.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid facts and circumstances and by taking note of quantity of recovered contraband as discussed aforesaid, coupled with the fact that charge sheet has already been submitted, where the petitioner remains in custody since 04.03.2025, who is a man of clean antecedent, accordingly, petitioner above named, is directed to be released on bail in connection with Manjhagarh P.S. Case No. 77 of 2025, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the



like amount each to the satisfaction of learned Principal Sessions Judge, Gopalganj/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

veena/-

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

