

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32501 of 2025

Arising Out of PS. Case No.-413 Year-2024 Thana- BANMANKHI District- Purnia

Ritesh Kumar S/o Balkishor Yadav R/o Biranchiya, P.S.- Barhara Kothi,
Distt- Purnea, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 16-05-2025 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner makes a prayer for bail in connection with Banmankhi P.S Case No.413 of 2024 registered for offences under Section 8(c), 21(b) and 25 of the N.D.P.S. Act.

3. The allegation in the First Information Report is that Police upon receiving confidential information, proceeded for recovery and found two persons on the motorcycle and on seeing the Police official, the two persons who were apprehended are Md. Soyeb and Md. Azim and after a search having been conducted, a recovery of 5.15 grams smack was made from each of them making a total of 11.02 grams.

4. It is submitted by learned counsel for the petitioner that no recovery has been made from the present petitioner and



it would be clear from the F.I.R. itself that the said recovery has been made from two other accused persons, from Md. Soyeb and Md. Azim, who have been already granted the privilege of regular bail *vide* order dated 19.03.2025 passed with Cr. Misc. No.14572 of 2025 and Cr. Misc. No.14228 of 2025 respectively. It has also been submitted that in view of the matter, the quantity of smack being 5.05 grams from each of the co-accused and a total of 11.02 grams, which is a little over the small quantity. The petitioner is in custody since 28.01.2025.

5. Learned APP opposed the prayer for bail on the ground that the petitioner has three other criminal antecedent, out of which one is of similar nature. However, it has been submitted that the petitioner is on bail in all the three cases and his name has transpired only on the confessional statement of the co-accused.

6. Considering the period of custody and that charges have already been framed, the petitioner is enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Special Judge (NDPS Act) Purnea, in connection with Banmankhi P.S Case No.413 of 2024, subject to the following conditions:



(i) the petitioner shall co-operate in the investigation/trial.

(ii) one of the bailors shall be the family member/close relative of the petitioner.

(Soni Shrivastava, J)

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