

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39884 of 2025

Arising Out of PS. Case No.-517 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Mayank kumar @ Angu @ Mayank Raj @ Mayank Rai S/o Umesh rai R/o
Vill- Dighi Kala West Hajipur, P.S.- Sadar Hajipur, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

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

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

ORAL ORDER

4 03-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Hajipur Sadar P.S. Case No. 517 of 2024, NDPS-14 of 2025 instituted for the offences under Sections 111(2)(b) of the BNS, Sections 25(1-b)a, 26, 35 of the Arms Act and Sections 8/20(B)(ii)(c) of the N.D.P.S. Act.

3. Prosecution case, in short, is that police, apprehended four accused persons including the petitioner and recovered total 2.215 Kg of charas and two country-made pistols. It is further alleged that from the possession of this petitioner, one country-made pistol with one live cartridge has been recovered.



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 26.07.2024 and has seven criminal antecedents. There is no allegation of tampering of witnesses alleged against the petitioner. No narcotic substance has been recovered from the conscious possession of the petitioner rather the same has been recovered from other co-accused persons. Petitioner has no concern with the alleged recovery. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act as also of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

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, there being no recovery of narcotic substance from the petitioner 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, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Hajipur Sadar P.S.



Case No. 517 of 2024, NDPS-14 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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