

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41636 of 2025

Arising Out of PS. Case No.-266 Year-2025 Thana- MASAUDHI District- Patna

=====

Jitendra Singh @ Jitendra Prasad @ Jitu S/o Jugeshwar Prasad R/o Village-
Kumhar Toli, Taregna Gola, P.S.- Masaurhi, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Madhukar Anand, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Masaurhi P.S. Case No. 266 of 2025 registered for the alleged offences under Sections 8 and 20(b)(ii)(B) of Narcotics Drugs and Psychotropic Substance Act.

03. As per prosecution case, recovery of 1.312 kg of *Ganja* was made from the petitioner along with an electronic weighing machine when the petitioner was apprehended on a tip off that he had been selling *Ganja*.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was apprehended from a busy market place but police did not join any independent witness and flouted the



provisions of BNSS. Further, Section 105 of BNSS, which provides for video recording of the search and seizure, the same was not complied and this makes the whole seizure suspect. The allegedly recovered contraband was neither seized at the place of seizure nor it was marked to show any relationship with the petitioner. Moreover, the seized quantity of contraband is just above the small quantity and much less than the commercial quantity. The petitioner is in custody since 30.03.2025 and charge-sheet has been submitted. The petitioner is having clean antecedent.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the recovered quantity of contraband and further considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, 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-cum-Special Judge (NDPS Act), Patna/court concerned in connection with Masaurhi P.S. Case No. 266 of 2025, subject to the



conditions mentioned in Section 480(3) of BNSS and 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.

(Arun Kumar Jha, J)

Ashish/-

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

