

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41743 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- KATIHAR NAGAR District- Katihar

Neeraj Kumar, S/o Sikandar Mandal, R/o Chhintabari, P.S.- Katihar(M),
Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 11-07-2025 1. Heard Mr. Sanjeev Kumar Singh, learned counsel
for the petitioner and Mr. Murli Dhar, learned APP for the State.
2. The petitioner seeks regular bail in connection with
Katihar Town P.S. Case No. 24 of 2025, dated 07.01.2025
registered for the offences punishable under Sections 8(c) and
21(b) of the N.D.P.S. Act.
3. The main submissions advanced by the petitioner's
counsel are that the instant matter relates to the recovery of
28.55 grams of smack like substance kept in 105 small *pudias*,
Rs. 9250/- and one mobile phone from the possession of the
petitioner but while searching and seizing the alleged
contraband, police party did not comply with the mandatory
provisions of the search and seizure mentioned in the N.D.P.S.
Act as well as B.N.S.S. and no independent person was made a



witness of the search and seizure. It is further submitted that the petitioner has fair and clean antecedent and languishing in jail since 08.01.2025 and against him the investigation has been completed, his trial has started and the charges have been framed upon him. It is lastly submitted that the petitioner has not remained involved in such type of alleged crime in the past and the alleged recovered narcotic contraband comes in the purview of intermediate quantity and the police falsely implicated the petitioner in the recovery of the alleged contraband at the instance of his enemy.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Heard both the sides. Though, the instant matter relates to the recovery of narcotic material from the possession of this petitioner however considering his custody period and mainly his fair and clean antecedent and also the start of his trial and further the material witnesses of the prosecution are the police personnel, so, the release of the petitioner will not affect the prosecution adversely, coupled with the petitioner's young age, in my opinion, in the said circumstances, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner named-above be enlarged on bail in connection with



Katihar Town P.S. Case No. 24 of 2025, on furnishing bail bond
of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of
the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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