

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43431 of 2025**

Arising Out of PS. Case No.-189 Year-2025 Thana- MADHAURAH District- Saran

Sittu Singh S/O Jitendra Kumar Singh R/O Village- Satasi, P.S- Isuapur,  
Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Shantanu Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      16-07-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Marhaura P.S. Case No. 189 of 2025 registered on 27.03.2025 for the offences under Sections 25(1-B)a, 26 and 35 of the Arms Act and 8(c) and 21(b) of the NDPS Act.

3. As per prosecution case, during checking of vehicles, two persons riding a motorcycle were apprehended on suspicion and petitioner is one of the apprehended persons. From search of this petitioner, recovery of 10.4 gram of smack and 5 live cartridges were made. From co-accused a pistol with magazine containing 5 live cartridges, 8.8 gram of smack and cash of Rs. 9200/- were recovered.

4. Learned counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and has been falsely implicated in this case. In fact nothing incriminating has been recovered from the person or possession of this petitioner. The mandatory provisions of NDPS Act or BNSS have not been followed in this case. No sample was taken at the spot as is clear from the FIR itself. Even otherwise recovery of contraband is much less than the commercial quantity. Though the petitioner is having antecedent of 11 cases but from the chronology of institution of the case, it appears that the petitioner is being victimized by the police. Petitioner is in custody since 28.03.2025 and charge-sheet has been submitted.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner was caught red-handed.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the quantity of contraband seized and also considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Saran at



Chapra/concerned court in connection with Marhaura P.S. Case No. 189 of 2025, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other 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)**

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