

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50941 of 2025

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

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Pandav Kumar S/o Bindeshwari Sah R/o Village- Kashipur, Ward No. 02,
P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate Ms. Isha Mishra, Advocate Mr. Dhandev Kumar, Advocate Mr. Atul Kumar, Advocate
For the Opposite Party/s :		Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 07-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Banmankhi P.S. Case no.413 of 2024 registered for the offence
under sections 8(c), 21(b) and 25 of the N.D.P.S Act.

3. The allegation in the F.I.R is that a recovery of 5.51
grams of smack each making it to a total of 11.02 grams, was
made from two accused persons, namely Azim and Soyab who
were intercepted by the police on fleeing away on motorcycle.

4. It is submitted by learned counsel for the petitioner
that petitioner is not named in the F.I.R and the name of this
petitioner has transpired in this case on confessional statement
of co-accused Mukesh Kumar Yadav who has already been



granted bail by this Court vide order dated 20.06.2025 passed in Cr. Misc. No. 38125 of 2025 and also the accused who were apprehended at the spot have been granted bail by this Court vide order dated 19.03.2025 passed in Cr. Misc. No. 14228 of 2025. No incriminating article has been recovered from his possession. Further, there is violation of mandatory provisions of search and seizure as there is no independent witness to the seizure list. The petitioner is in custody since 20.05.2025 and undertakes to co-operate in case/trial. Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State on the ground that petitioner has six criminal antecedents, out of which 2 are of similar in nature. In response, learned counsel for the petitioner submits that he is on bail in five cases.

6. Considering the aforesaid facts and circumstances of the case, petitioner is directed to be enlarged on bail in connection with Banmankhi P.S. Case no.413 of 2024 on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court subject to the further condition that the petitioner shall



cooperate in the investigation and 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.

(Soni Shrivastava, J)

Harsh/-

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