

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57030 of 2025

Arising Out of PS. Case No.-97 Year-2025 Thana- SARSI District- Purnia

Arbind Yadav S/o Sri Vakil Yadav R/o vill - Balu Tola Champawati, P.S.-
Sarsi, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-10-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Sarsi P.S.

Case No. 97 of 2025 registered for the offences under Sections

8(c), 21(b), 25 and 29 of the NDPS Act.

3. The petitioner is named in the F.I.R. and is in custody

since 17.06.2025.

4. As per FIR, petitioner was named by one of the co-

accused namely Tinku Yadav, when he was apprehended by police

and found in possession of 101.68 grams of brown sugar, who

upon query disclosed that half of it was to be delivered to this

petitioner.

5. Learned counsel appearing on behalf of the petitioner



submitted that merely on the basis of disclosure of apprehended co-accused this petitioner was implicated with the present case, where as in terms of FIR nothing recovered from the physical possession of this petitioner. It is submitted that admittedly recovery of contraband is less than commercial quantity, therefore, rigors of Section 37 of the NDPS Act not appears applicable in the present case. It is also submitted that co-accused who disclosed the name of this petitioner was not searched properly in terms of Section 50 of the NDPS Act and provisions of (SSS) search, sampling and seizure also not appears followed in the present case. While concluding the argument it is submitted that, petitioner found involved in one more case, where he is on bail and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, while opposing the prayer for bail submitted that name of petitioner was immediately disclosed by apprehended co-accused person.

7. In view of aforesaid factual submission and by taking note of fact as prima-face recovery of alleged contraband not appears to be made from the physical possession of this petitioner, which is admittedly less than commercial quantity, coupled with



the fact as petitioner remains in custody since 17.06.2025, accordingly above named petitioner, is directed to be released on bail in connection with Sarsi P.S. Case No. 97 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (NDPS Act), Purnea/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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