

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62829 of 2025

Arising Out of PS. Case No.-410 Year-2025 Thana- MADHAURAH District- Saran

Abhishek Kumar S/o Keshav Rai @ Keshu Rai R/o Village- Takina, P.S.-
Marhaura, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Noumaan Ahmad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 317(4) and 317(5) of B.N.S., Sections 25(1-b)a, 26 and 35 of the Arms Act and Sections 8A(c) and 21(b) of the N.D.P.S. Act.

3. The case of the prosecution is that behind the house of this petitioner from a bag, altogether 49 grams of smack was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Learned counsel for the



petitioner has submitted that nothing has been recovered from his possession. As per the seizure list, the recovery was made behind the house of the petitioner which is an open place. It has also been submitted that other co-accused persons having similar nature of allegations have been granted bail by learned co-ordinate Bench vide Cr. Misc. Nos. 55671 of 2025, 53103 of 2025 and 63547 of 2025. It has further submitted that the contraband which is said to be recovered behind the house of this petitioner is though more than small quantity but the same is much less than commercial quantity. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 15.06.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Marhowrah P.S. Case No. 410 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and



Sessions Judge cum Special Judge, NDPS Act, Saran at
Chapra.

(Ashok Kumar Pandey, J)

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