

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60722 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- KURSAILA District- Katihar

Nandu Mishra @ Nand Kishor Mishra @ Nand Kumar Mishra Son of Late
Godu Mishra R/o Village - Kheriya, Ward no. 16, P.S. - Kursela, Dist. -
Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

02. In the present case, the petitioner seeks bail in connection with NDPS Case No. 75 of 2025 arising out of Kursela P.S. Case No. 94 of 2025 registered for the alleged offences under Section 8, 20(B) ii of Narcotic Drugs & Psychotropic Substance Act.

03. As per prosecution case, petitioner was apprehended with 1.1 kg. of *ganja*.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. Nothing incriminating has been recovered from this petitioner and



recovery shown from the petitioner has been planted by the police. The mandatory provisions of search and seizure have not been followed by the police. No test was done for the alleged contraband and without any chemical examination report, it is not possible to say that the seized article is narcotic drug. The petitioner is in custody since 18.05.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the quantity of contraband which is just above the small quantity and also considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Principal District & Sessions Judge, Katihar/court concerned in connection with NDPS Case No. 75 of 2025 arising out of Kursela P.S. Case No. 94 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the 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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