

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62310 of 2025

Arising Out of PS. Case No.-222 Year-2024 Thana- KURSAILA District- Katihar

Mantosh Kumar, son of late Jai Hind Sahni, resident of Tinghariya, PS-
Kursela, District - Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Sanjeev Kumar Singh, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

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

2. The petitioner seeks bail in connection with
Kursela P.S. Case No.222 of 2024 registered for the offence
under sections 8(c), 21(b) and 21(c) of the NDPS Act.

3. It has been submitted by learned counsel for
the petitioner that this Court vide order dated 01.05.2025 passed
in Criminal Miscellaneous No.25121 of 2025 has granted bail to
the petitioner in the same F.I.R.. It has also been submitted that
the petitioner had instructed the learned counsel for the
petitioner that he has clean antecedent and therefore, upon such
instructions, in the bail petition, a statement to that effect was
made. Therefore, while granting bail to the petitioner, this Court
has directed the court below that the bail bonds of the petitioner
shall only be accepted if it is found that he has clean antecedent.



However, the court below, upon verification has found that the petitioner is accused in two more criminal cases and therefore, his bail bonds have not been accepted and accordingly, this bail application has been filed.

4. As per the prosecution case, about 5.5 gram of smack has been recovered from the petitioner. The petitioner is in custody since 02.11.2024.

5. Considering the quantum of recovery, the period of custody of the petitioner as well as the submissions of learned counsel for the petitioner, this application is allowed.

6. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Sessions Judge, Katihar/concerned Court below in connection with Kursela P.S. Case No. 222 of 2024, subject to the condition that one of the bailors should be close relative of the petitioner.

7. As a condition of this order, the petitioner, after being released on bail, is directed to mark his attendance at Kursela Police Station on every Sunday of each month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.



8. As a condition of this order, the petitioner, after being released on bail is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on each and every date fixed by the trial Court. Non-compliance of the condition will result in cancellation of the bail bonds of the petitioner.

(Sandeep Kumar, J)

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