

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67020 of 2025

Arising Out of PS. Case No.-659 Year-2025 Thana- SAHARSA SADAR District- Saharsa

Ankit Kumar Son of Anil yadav R/o Moh - Panchwati, P.S. - Saharsa Sadar,
Dist . - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Saharsa Sadar P.S. Case No. 659 of 2025 registered for the offences under Sections 8(C), 21(b) and 25 of the NDPS Act.

3. As per prosecution case, police received information about co-accused Amit Yadav along with his associates selling smack from a cowshed in front of his house. A raid was conducted and a youth fled away from the spot. In the cowshed three persons were found present including this petitioner. From the co-accused Ankit Kumar, S/o Manoj Sah, recovery of 6.35 gram of smack, Rs. 9400/- in cash, ATM cards and mobile phone were made. From this petitioner, recovery of



one mobile phone was made.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from his person or possession of this petitioner. Whatever recovery has been made it has been made from co-accused Ankit Kumar and petitioner has no concern with the alleged recovery. Petitioner has gone to meet Amit Yadav at his house and during this period a raid was conducted and police apprehended the petitioner. There is no recovery of any smack from the possession of this petitioner. Petitioner is in custody since 10.06.2025 and charge-sheet has been submitted. Petitioner is having antecedent of one case under Bihar Prohibition and Excise Act.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the completely vague nature of allegation against the petitioner and further considering that no recovery has been shown from this petitioner and also considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above



named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Saharsa/concerned court in connection with Saharsa Sadar P.S. Case No. 659 of 2025, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other 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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