

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72058 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- LAUHIYANAGAR District- Begusarai

Priyadarshi Kumar Yadav Son of Arun Ray @ Arun Rai Resident of Village-
Chaita South, Ward No 06 P.s -Angar Ghat District -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hansraj, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with NDPS
Case No. 13 of 2025, arising out of Lohiyanagar P.S. Case No.
46 of 2025 instituted for the offence under Sections 25(1-b)a, 26
& 35 of the Arms Act and Sections 20(b)(ii)(c) of the NDPS
Act.

3. The prosecution case, is that, on 01.04.2025 at
about 11:15 PM, while on patrolling duty, police received
information about two miscreants heading towards Begusarai.
On interception, two persons – Sanjeet Kumar Mahto and
Priyadarshi Kumar Yadav (petitioner) – were apprehended. On
search, there is recovery of one country made pistol along with



two cartridges were recovered from the petitioner's possession, whereas 3.100 Kg ganja and other arms were recovered from the possession of co-accused person.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.04.2025. Petitioner bears one criminal antecedent/s, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that petitioner has no concern with the recovered arms. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel submits that from perusal of the FIR, it would manifest that there is no recovery of contraband from the petitioner's possession. Even though if the recovery is taken on its face value, it is below commercial quantity. Hence, Section 37 of the NDPS Act is not applicable. There is no compliance of Sections 42 and 50 of the NDPS Act. Learned counsel next submits that police after investigation has already submitted charge sheet in this case. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.



7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with NDPS Case No. 13 of 2025, arising out of Lohiyanagar P.S. Case No. 46 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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