

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67594 of 2025

Arising Out of PS. Case No.-133 Year-2025 Thana- SONBERSHA RAJ District- Saharsa

Upendra Kamat @ Upendar Kamat @ Jappan Kamat @ Jappan Vishas, Male,
aged about 71 years, Son of Late Kamo Kamat, Resident of Village-
Sonbarsha Raj, Ward No. 14, P.S.- Sonbarsa Raj, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Ruchi Mandal, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

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

2. The petitioner seeks bail in connection with Special
Case under NDPS Act, Sonbarsa Raj P.S. Case No. 133 of 2025
instituted for the offences punishable under Sections 8, 20(B)
IIA of the NDPS Act.

3. As per allegation in the FIR, total 2.050 kg of Ganja
was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. She submits that the
petitioner is aged about 71 years old age person and suffering
from various old diseases having clean antecedent as stated in
para 3 of the petition is in custody since 12.07.2025. She further



submits that Investigation has already been completed but Forensic Science Laboratory report is pending as stated by learned counsel for the petitioner.

5. Learned APP for the State vehemently opposed the prayer for bail and submits that the petitioner was arrested on the spot with 2.050 kg. of Ganja, so he does not deserve bail.

6. From perusal of the FIR and impugned order of the learned Principal Sessions Judge-cum-Special Judge, Saharsa dated 13.08.2025, it appears that on the basis of self statement of Police-sub-Inspector namely Avinash Kumar, FIR has been registered under Sections 8, 20(B) IIA of the NDPS Act against the present petitioner and the allegation against him is that he was arrested by the police at the spot with 2.050 kg. of Ganja. Investigation has already been completed but F.S.L. report is pending as stated by learned counsel for the petitioner. Petitioner is aged about 71 years of age, suffering from various old age diseases, so considering all these aspects of the case and submissions of learned counsel for the petitioner, I am inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned
Principal Sessions Judge-cum-Special Judge, Saharsa in
connection with Special Case under NDPS Act, Sonbarsa P.S.
Case No. 133 of 2025.

(Ramesh Chand Malviya, J)

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