

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68199 of 2025

Arising Out of PS. Case No.-1058 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Prince Kumar @ Nanhe S/o Pramod Yadav @ Pramod Kumar Yadav R/o
Village- Parmanandpur, P.S.- Ghailadh, Dist.- Madhepura

... .. 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. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

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

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 21(a) of the NDPS Act and Sections 46 and 47 of the Prisoners Act, 1894.

3. The case of the prosecution is that from the anal passage of the petitioner while he was in judicial custody, 7 grams of intoxicating tablet was recovered from his anal passage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that from perusal of the FIR itself, it is clear that only intoxicating tablet has been written in the FIR. No specific drug is even named. Learned



counsel for the petitioner has submitted that as the petitioner has complained against the Jail Authority, he has been framed in this case. From perusal of the FIR, it is clear that the FIR does not disclose which contraband was found. Moreover, the petitioner is languishing in judicial custody since 03.12.2024.

5. Learned APP appearing for the State has also conceded to the argument that the FIR itself is ambiguous.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Saharsa Sadar P.S. Case No. 1058 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Principal Sessions Judge cum Special Judge, Saharsa.

(Ashok Kumar Pandey, J)

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