

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70644 of 2025

Arising Out of PS. Case No.-242 Year-2025 Thana- BANMANKHI District- Purnia

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Rahul Jha @ Rahul Mishra @ Rahul Kumar Jha @ Rahul Kumar Mishra S/o
Bimal Jha @ Bimal Mishra Res OF Village- Kajhi Brahman Tola Ward no 6,
PS- Banmankhi, District- Purnea

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bidhu Ranjan, Adv.

For the Opposite Party/s : Mr. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Banmankhi P.S. Case No. 242 of 2025 registered on 02.08.2025 for the offences under Sections 8(C) and 21(b) of the NDPS Act.

3. As per prosecution case, police received information about trade of smack in a local 'hatt'. Police reached the spot and apprehended three persons including this petitioner. From the possession of the petitioner, recovery of 4.8 grams of smack was made. From other co-accused persons, further recovery of 2.6 gram and 5 gram, respectively of smack 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 the person or possession of this petitioner. There is no independent witness to the seizure list. There is no material to show that the petitioner had been selling smack. Moreover, the quantity of contraband seized from the petitioner comes below under the small quantity. Petitioner is in custody since 02.08.2025 who is having clean antecedent.

5. Learned A.P.P. appearing for the State 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 quantity of contraband recovered and also considering the period of custody of the petitioner along with his clean antecedent, 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 Special Judge, NDPS Act, Purnea in connection with Banmankhi P.S. Case No. 242 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, if so required by the learned trial court.

(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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