

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71407 of 2025

Arising Out of PS. Case No.-205 Year-2025 Thana- BARARI District- Bhagalpur

Amit Kumar S/O Pramod Paswan R/O village- Sanjha, P.S.- Jagdishpur,
District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-10-2025 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 Barari P.S. Case No. 205 of 2025, registered for the offences under Sections 8(c), 21(b) of the N.D.P.S. Act, 1985.

3. As per the prosecution case, on receipt of secret information about trading of brown sugar near the house of the co-accused Krishna Rajak, a raid was conducted and petitioner and four other co-accused persons were arrested. On search of the petitioner four *puriya*(sachet) of Brown Sugar was recovered. Further recovery was made from other co-accused persons and in this manner total 29 sachet of brown sugar was recovered and the weight of the recovered contraband along



with wrapper came to be 6.46 grams

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. There is complete violation of mandatory provisions of search and seizure. Even from the facts of the FIR, it is clear that recovery from the petitioner is miniscule quantity of brown sugar and further the weight of the same has been calculated along with the wrapper. The total recovery is less than the small quantity which is 5 grams for brown sugar. The petitioner is having criminal antecedent of one case and is in custody since 01.08.2025. The charge-sheet has been submitted.

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

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the small quantity of contraband from the petitioner, period of custody and submission of charge-sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Principal Sessions



Judge in connection with Barari P.S. Case No. 205 of 2025,
subject to the condition laid down under Section 480(3) of the
BNSS 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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