

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75620 of 2025

Arising Out of PS. Case No.-659 Year-2025 Thana- SAHARSA SADAR District- Saharsa

Ankit Kumar S/o Manoj Sah @ Manoj Kumar @ Manoj Prasad Sah R/o vill -
Gangjala, ward no. 16, P.S.- Saharsa, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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

ORAL ORDER

2 11-11-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Saharsa Sadar PS Case No. 659 of 2025 instituted for the
offences under Sections 8(c), 21(b) & 25 of the NPDS Act.

3. Prosecution allegation, in short, is that on
09.06.2025, police received secret information about Amit
Yadav selling smack. During a raid near his house, three
persons, including the petitioner ,were arrested and 6.35 gm of
smack, cash, mobiles, and ATM cards were seized.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that police has recovered the said smack from the cow shed of co-accused, namely, Amit Yadav, but has shown recovery from the petitioner. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 10.06.2025 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

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

6. Considering the aforesaid facts and circumstances of the case, recovery below commercial quantity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Saharsa Sadar PS



Case No. 659 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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