

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78086 of 2025

Arising Out of PS. Case No.-110 Year-2025 Thana- BANGAWON District- Saharsa

Nandu Das S/o Ram Das @ Ramdas Ram R/o Village - Lakshmipur Ghorei
@ Dhore, Ward No. 5, P.S - Mahishi, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Sharma, Adv
		Mr.Subesh Sharma, Adv
For the Opposite Party/s :		Mr.Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Bangaon P.S Case No. 110 of 2025 registered for the offences
punishable under Sections 8(c), 21(b) of the NDPS Act.

3. As per allegation in the FIR, there is recovery of
20.02 grams of smack which was recovered from the car
bearing registration no. BR-19P4641 in which petitioner along
with the other three accused person was traveling.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner earns his livelihood by driving his Maruti
Suzuki Car bearing registration No. BR-19P4641. He further



submits that one Ashish Kumar booked his car for going from Saharsa to Mahishi and he has no knowledge that what the passengers were carrying with them. He further submits that the alleged recovery is more than the smaller quantity but much less than the commercial quantity. He further submits that petitioner is in judicial custody since 16.07.2025 having clean antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order dated 16.10.2025, it appears that petitioner was apprehended on the spot and the alleged recovery was made from the vehicle being Registration No. BR-19P4641 but there is no independent witness to the alleged seizure, moreover, petitioner possesses clean antecedent. So, considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the above named petitioner 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 learned Sessions Judge-cum-Special Judge, Saharsa in connection with Bangaon P.S Case No. 110 of 2025 subject to the condition that petitioner shall be present before the Trial Court on each and every dated fixed by the Trial



Court till the conclusion of the Trial and if the petitioner fails to appear before the Trial Court on two consecutive dates, then the Trial Court may cancel the bail bonds of the petitioner.

(Ramesh Chand Malviya, J)

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