

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84005 of 2025

Arising Out of PS. Case No.-119 Year-2025 Thana- PAHARKATTA District- Kishanganj

Md Dukha @ Islam Ansari @ Dukha Islam son of Md Mumtaz Ansari @ Mumataj Ansari Resident of village- Chattergachh Ps- Paharkatta District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-12-2025 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 sections 8 (c), 21 (b) of the NDPS Act.

3. The case of the prosecution is that altogether 26.44 grams of ‘smack’ was recovered from the possession of this petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that while making seizure, police have not applied Section 105 of the BNS Act and the witnesses of the seizure list are police



personnel. It has also been submitted that the quantity of contraband, which has been recovered from the possession of this petitioner, is though more than small quantity but much less than commercial quantity. Moreover, the petitioner is languishing in judicial custody since 01.10.2025 having no criminal antecedent.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid 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 Paharkatta P.S. Case No. 119 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge cum- Special Judge, (NDPS Act), Kishunganj.

(Ashok Kumar Pandey, J)

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