

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84882 of 2025

Arising Out of PS. Case No.-171 Year-2025 Thana- GAIGHAT District- Muzaffarpur

Raj Kumar Sah Son of Late Ramchandra Sah Resident of Village - Minapur
Center, P.S. - Minapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirtyunjay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 15-12-2025 Heard Mr. Mrityunjay Kumar Mishra, learned counsel
for the petitioner and Mr. Md. Shakir Ahmad, learned APP for the
State.

2. The petitioner has prayed for bail in connection with
Gaighat P.S. Case No. 171 of 2025 registered for the offence
punishable under Sections 8(c), 21(b), 25 of the N.D.P.S. Act and
Sections 25(1-B)(a), 26 of the Arms Act.

3. The case of the prosecution in short is that from the
possession of this petitioner one loaded country made pistol,
mobile and 41.48 gram of *smack* like material was recovered.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. Learned
counsel for the petitioner submits that nothing has been recovered



from the possession of this petitioner. It has also been submitted that while making seizure, police has not complied Section 105 of the BNSS. He also submits that the contraband which has been recovered from the possession of this petitioner is though more than small quantity but is much less than commercial quantity. He further submits that the petitioner is languishing in judicial custody since 25.06.2025.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of three cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Exclusive Special Court-I (N.D.P.S.), Muzaffarpur in connection with Gaighat P.S. Case No. 171 of 2025 corresponding to N.D.P.S. Case No. 124 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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