

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85199 of 2025

Arising Out of PS. Case No.-386 Year-2025 Thana- SHERGHATI District- Gaya

Binod Singh Son of Barho Singh R/o Village - Paroriya, P.S. - Barachatti,
Dist. - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-12-2025 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 20(b) (ii)(b) and 22(b) of the N.D.P.S. Act.

3. The case of the prosecution is that from the possession of this petitioner altogether 2.326 kg of ganja was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from his conscious possession. Police has not followed the necessary provisions of Section 105 of B.N.S.S while preparing seizure. There is no independent witness of the



seizure list rather they are police personnel. It has also been submitted by learned counsel for the petitioner that the alleged quantum of contraband is though more than small quantity but is much less than commercial quantity. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 10.09.2025.

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

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 released on bail in connection with Sherghati P.S. Case No. 386 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, Gaya Ji.

(Ashok Kumar Pandey, J)

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