

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3284 of 2026

Arising Out of PS. Case No.-295 Year-2025 Thana- Marnga District- Purnia

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Jonsan Kumar Son of Pappu Kumar Mehta Resident of Vampanagar, P.S.-
Jaimangla, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-01-2026 Heard Mr.Manoj Kumar Singh, learned counsel for

the petitioner and Mr.Nagendra Prasad, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
28.08.2025, in connection with Maranga P.S. Case No. 295 of
2025, FIR dated 28.08.2025 registered for the offence
punishable under Section 8(c) and 21(b) of N.D.P.S. Act.

3. During search, 205.55 Gm. of Smack was
recovered from possession of the petitioner.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. The allegation
as alleged in the FIR is false and fabricated and the petitioner
has not committed any offence as alleged in the FIR. Although
205.55 Gm. of Smack, one mobile phone and Rs.750/- were



recovered from possession of the petitioner but there is non-compliance of Section 50 of the NDPS Act and Section 105 of the BNSS, 2023 and recovered contraband is less than the commercial quantity. Hence, there is no embargo under Section 37 of the N.D.P.S.Act for grant of bail to the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 28.08.2025.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is non-compliance of the mandatory provisions of NDPS Act as well as BNSS and recovered contraband is less than the commercial quantity, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, (NDPS), Purnea in connection with Maranga P.S. Case No. 295 of 2025, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient



reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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