

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2319 of 2026

Arising Out of PS. Case No.-165 Year-2024 Thana- KANHAULI District- Sitamarhi

=====

Kari Mahto S/o Late Suresh Mahto @ Suresh Mahato R/o Village- Indarwa,
Ward No. 2, P.S.- Kanhauli, Dist.- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner : Mr. Virendra Kumar, Advocate
For the Opposite Party : Mr. Jagdhar Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-02-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in connection with Kanhauli P.S. Case No.165 of 2024 registered for the offence under section 317(5) of the B.N.S., 2023, under sections 8/20B/II(B)/22/23/27(a) of the N.D.P.S. Act and under sections 25(1-B)a, 26 and 35 of the Arms Act.

3. Earlier, the prayer of the petitioner for grant of bail was rejected by this Court vide order dated 07.05.2025 passed in Criminal Miscellaneous No.28843 of 2025.

4. It is alleged that about five Kg. of *ganja* and one pistol has been recovered from the petitioner.

5. The petitioner is in custody since 06.12.2024.



6. It has been submitted by learned counsel for the petitioner that even the charge has not been framed in this case.

7. Considering the nature of allegation, the period of custody of the petitioner and delay in trial, this bail application is allowed.

8. 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 the learned Special Judge (NDPS), Sitamarhi / concerned Court below, in connection with Kanhauli P.S. Case No.165 of 2024, subject to the conditions that both the bailors will be the blood relatives of the petitioner and further the petitioner will cooperate in the trial and will appear personally or through his advocate on the date fixed in the trial.

9. At the time of accepting bail bonds of the petitioner, the Court below will verify the criminal antecedent of the petitioner under NDPS Act. The bail bonds of the petitioner shall only be accepted if it is found that, save and except the present one, he has no other criminal antecedent under the NDPS Act.

10. This is also subject to the condition that the



petitioner, after being released on bail, is directed to mark his attendance at Kanhauli Police Station, District- Sitamarhi on every Sunday of the month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

pawan/-

U		T	
---	--	---	--

