

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4943 of 2026

Arising Out of PS. Case No.-136 Year-2024 Thana- BALIA BELON District- Katihar

Md. Noman son of Late Wasiuddin @ Basiuddin Resident Of Village- Nekula
Police Station -Balia Belon District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 01-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Balial Belon P.S. Case No. 136 of 2024 registered for the offence
punishable under Sections 20, 22(a), 22(b) of the N.D.P.S. Act.

3. The case of the prosecution, in short, is that 5.86 kg
of *Ganja* and 5 grams of *Smack* like substance was recovered from
the possession of the petitioner.

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. He also
submits that the alleged recovery of contraband is though more
than small quantity but is much less than commercial quantity. He
also submits that the witnesses of the seizure list are police



personnel and the police has not complied with Section 105 of the BNSS while making the seizure. He further submits that similarly situated other co-accused has been granted bail by the learned coordinate bench of this court vide Cr. Misc. No. 35896 of 2025. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 16.10.2025.

5. The application for bail is opposed by learned APP for the State.

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 Principal District & Sessions Judge, Katihar in connection with N.D.P.S. Case No. 80 of 2024 arising out of Balia Belon P.S. Case No. 136 of 2024.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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