

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9956 of 2026

Arising Out of PS. Case No.-307 Year-2025 Thana- JANKINAGAR District- Purnia

Shankar Kumar Son of Mantu Yadav Resident of Village- Pipara, Ward No.1,
P.S. -Saur Bazar, District -Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-02-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Special Case no.273 of 2025, arising out of Jankinagar P.S. Case no.307 of 2025 registered under sections 8(c) and 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, on the vehicle on which the petitioner and one another were travelling being stopped and searched, it is stated that in the possession of Gaurav Kumar, 39 gms of smack like substance was recovered.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession who was only a pillion rider on the vehicle being driven by Gaurav Kumar. The alleged recovery is from the possession of the co-accused. The petitioner has no criminal antecedent and is in custody since 30.9.2025. Chargesheet has



been submitted in the case.

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

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR, no incriminating article having been recovered from the petitioner's possession, the petitioner being in custody for more than 4 months since 30.9.2025, chargesheet having been submitted in the case and specially the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Special Case no.273 of 2025, arising out of Jankinagar P.S. Case no.307 of 2025 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, N.D.P.S. Act, Purnea on the following condition:

(i) In case it subsequently transpires that the petitioner had a criminal antecedent, the prosecution will be at liberty to move this Court for cancellation of bail of the petitioner.

(Partha Sarthy, J)

Saurabh/-

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