

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10822 of 2026**

Arising Out of PS. Case No.-134 Year-2022 Thana- MANIYARI District- Muzaffarpur

Santosh @ Santosh Kumar Son of Rakesh Singh Resident of Village-  
Rajapakar Banghara, P.S.- Rajapakar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Hemant Kumar, Advocate

For the Opposite Party/s : Ms.Renuka Ratnakar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      18-03-2026                      Heard Mr.Hemant Kumar, learned counsel for the  
  
petitioner and Ms.Renuka Ratnakar, learned Additional Public  
  
Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since  
31.01.2024 in connection with N.D.P.S. Case No. 110 of 2022  
arising out of Maniyari P.S.Case No.134 of 2022, F.I.R. dated  
05.05.2022 registered for the offence punishable under Sections  
25(1-b)a/26/35 of Arms Act and Sections 8(c)/21(b)of  
N.D.P.S.Act.

3. As per prosecution case, the informant along with  
police party reached near Anwara Bridge and was that four  
person on two motorcycles were standing on motorcycle having  
Reg. No. BR31AG-5705 and another has no registration  
number. The informant remembered that the motorcycle is



involved in P.S. Case No. 129 of 2022 and tried to stop them and they tried to flee away in that course two persons were apprehended.

4. Learned counsel appearing for the petitioner submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and petitioner was not apprehended at the place of occurrence which suggests that nothing has been recovered from possession of the petitioner and petitioner has been remanded in the presence case from Rajapakar (Barati O.P.) P.S.Case No. 182/2023 on 31.01.2024 and co-accused persons, namely, Rajesh Kumar and Raju Kumar @ Rajoo Singh @ Rajo Singh @ Raju Singh have been granted bail by different Coordinate Benches of this Hon'ble Court vide orders dated 07.07.2023 and 27.02.2024 passed in Cr. Misc. Nos.53955 of 2022 and 64309 of 2023 respectively, apart from the aforesaid, the recovered contraband is less than the small 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 31.01.2024.

5. Learned A.P.P. for the State, on the other hand, has



vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries seven more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, 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 Exclusive Special Court-II NDPS, Muzaffarpur in connection with N.D.P.S. Case No. 110 of 2022 arising out of Maniyari P.S.Case No.134 of 2022, 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)**

Nitesh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

