

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10507 of 2026

Arising Out of PS. Case No.-228 Year-2025 Thana- KURSAILA District- Katihar

Sonu Kumar Son of Late Shankar Yadav @ Arjun Singh Resident of Village -
Rupauli, P.S. - Rupauli, Distirct - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 23-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 8(c) and 21(b) of the NDPS Act.

3. The case of the prosecution, in short, is that from three persons altogether 15.73 gm of smack like material was recovered.

4. Learned counsel for the petitioner submits that it is the case of the prosecution that three persons on a bike were going and from them this contraband was recovered, actually the petitioner was not there. Learned counsel for the petitioner has further submitted that the petitioner has been implicated by the police. It has further been submitted that nothing has been



recovered from the possession of the petitioner. The witnesses of the seizure list are police personnel and police has not complied Section 105 of the BNSS while making seizure. In any view of the matter the contraband which has been alleged to be recovered is though more than small quantity but is much less than commercial quantity. Learned counsel for the petitioner has further submitted that the petitioner is languishing in judicial custody since 09.10.2025.

5. Learned APP for the State has vehemently opposed the bail and has submitted that the petitioner is having criminal antecedent of one case of similar nature.

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 released on bail in connection with Kursela P.S. Case No. 228 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Principal District and Sessions Judge, Katihar.

(Ashok Kumar Pandey, J)

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