

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16674 of 2026

Arising out of PS. Case No.-123 Year-2025 Thana- Pothia District- Katihar

Navin Kumar S/o Sharwan Singh R/o - Mathurapur Ward No. 03, P.S -
Khagaria, District – Khagaria

... .. Petitioner/s

Versus

The State of Bihar

.. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANSUL

ORAL ORDER

3 07-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in Pothiya P.S. Case No.
123 of 2025 registered for the offences punishable under
Sections 111, 318(4), 319(2) of BNS & 21(c), 22(c) and 29 of
the NDPS Act.

3. The allegation is that the FIR was lodged with the
allegation that there was an accident between two vehicles. The
drivers were taken to hospital and their families were informed.
Two persons namely Raj Tilak and the petitioner came to the
police station where the vehicle was kept and they produced
their identity card. They started dragging something from the
sound system of the vehicle. The police after seeing the same



arrested them and recovered 700 Gms of heroin from their possession.

4. Learned counsel for the petitioner submits that the seizure list would show that the recovery has been made from Raj Tilak and not the petitioner. There is nothing at all to distinguish the case of Raj Tilak and Naveen Kumar (Petitioner) though the allegation seems to be a bit preposterous.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the commercial quantity of contraband recovered from the possession of the petitioner which is barred under section 37 of the NDPS Act, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is rejected.

8. The petitioner may renew his prayer for bail after six months if the trial is not concluded.

9. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not



influence the trial or any other proceedings in any manner.

(Ansul, J)

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