

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12079 of 2026**

Arising Out of PS. Case No.-659 Year-2025 Thana- KOTWALI District- Patna

Santosh Kumar S/o Shambhu Mandal Resident of Mohalla- Chhajubagh,  
Hindi Bhawan, Police Station- Kotwali, District- Patna Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

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

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

3      23-03-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for bail in connection with Kotwali P.S. Case No. 659 of 2025 registered for the offence punishable under Sections 8(c), 21(b) & 28 of the NDPS Act and under Section 78 of the JJB Act.

3. The case of the prosecution, in short, is that from the possession of this petitioner altogether 51 gm of *heroin* (*smack*) and a mobile was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has further submitted that nothing has been recovered from the possession of this petitioner. Learned counsel for the petitioner has further submitted that the witnesses of the seizure list are



police personnel and police have not complied Section 105 of the BNSS while making seizure. It has further been argued that the alleged recovery of contraband is though more than small quantity but less than commercial quantity. Learned counsel for the petitioner has further submitted that the petitioner is having no criminal antecedent and he is in judicial custody since 15.11.2025.

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 court of Sessions Judge/Special Judge (NDPS), Patna in connection with Kotwali P.S. Case No.659 of 2025.

**(Ashok Kumar Pandey, J)**

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