

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14502 of 2026

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

Shiv Shankar Bharti S/O Bablu Bhagat @ Babloo Bhagat R/O Rajendra Prak
Dumariya, P.S.- Kursela, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar Pandey, Advocate Mr. Sanjay Kumar Ojha, Advocate Mr. Ved Prakash Chandan, Advocate
For the Opposite Party/s :		Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 18-04-2026 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 a total of 15.73 grams of smack was allegedly recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the witnesses to the



seizure list are police personnel only, and there has been non-compliance with Section 105 of the BNSS. It has also been contended that the alleged recovery of contraband, though more than a small quantity, is much less than the commercial quantity. It is further submitted that the petitioner has one criminal antecedent and is in custody since 09.10.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid 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 Special NDPS Case No. 132 of 2025 arising out of 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 District and Session Judge, Katihar.

(Ashok Kumar Pandey, J)

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