

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17510 of 2026

Arising Out of PS. Case No.-312 Year-2025 Thana- SAHEBPUR KAMAL District-
Begusarai

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Rajesh Kumar S/o Tufan Ray @ Tufani Ray Resident of Village -
Raghunathpur, Police Station.-Sahebpur Kamal, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 01-05-2026 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)/21(b) of the N.D.P.S. Act and Sections 25(1-B) a, 26 and 35 of the Arms Act.

3. The case of the prosecution is that from the possession of this petitioner, altogether 100 gram of smack along with one country made pistol and one live cartridge was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of this petitioner. The witnesses of the seizure list are police personnel and police has not followed Section 105 of BNSS while preparing seizure list. Though the



recovery of alleged contraband is more than small quantity but is much less than commercial quantity as per NDPS Act. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 02.11.2025. It has further been submitted that similarly situated other co-accused person has already been granted bail by this court vide Cr. Misc. No. 16455 of 2026.

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

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 Sahebpur Kamal P.S. Case No. 312 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 Additional Sessions Judge-1st-cum Spl. Judge, N.D.P.S. Act and P.O. of Children Court, Begusarai.

(Ashok Kumar Pandey, J)

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