

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17368 of 2026

Arising Out of PS. Case No.-159 Year-2025 Thana- FULKAHA District- Araria

Ganesh Kumar Mehta Son of Laxman Mehta @ Lakhan Mehta Resident of
Dewanganj, P.S.- Dewanganj, Dist.- Sunsarai, Nepal

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Raj, Advocate

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 23-03-2026 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 NDPS Act and Section 25 (1-b) A, 26 of the Arms Act.

3. The case of the prosecution, in short, is that from the possession of this petitioner, one country made pistol and 13.55 grams of Brown Sugar was recovered.

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 this petitioner. It is also contended that all the witnesses to the seizure list are police personnel and no independent witness has



been associated with the alleged recover. Moreover, the mandatory provision of Section 105 of the BNSS have not been complied at the time of alleged seizure. It is further submitted that the quantity of alleged contraband recovered is more than small quantity but much less than the commercial quantity. Moreover, the petitioner is languishing in judicial custody since 19.10.2025 having no criminal antecedent.

5. Learned APP appearing for the state has opposed the prayer of regular bail stating that the petitioner has three criminal antecedents.

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 Fulkaha P.S. Case No. 159 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 Sessions Judge cum the Special Judge, NDPS Araria.

(Ashok Kumar Pandey, J)

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