

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14935 of 2026

Arising Out of PS. Case No.-284 Year-2024 Thana- SITAMARHI District- Sitamarhi

Amit Kumar S/O Asharfi Sah Resident of Kot bazar, Ward No., 12,
Chakmahila, P.S.- Sitamarhi, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sitamarhi P.S. Case No. 284 of 2024 instituted for the offences under Sections 399, 402, 414 of the Indian Penal Code, Sections 25(1-b)a, 26, 35 of the Arms Act and 8, 21 of the NDPS Act.

3. Prosecution case, in short, is that during night patrolling on 30.04.2024, the informant allegedly received secret information that 4-5 persons had assembled at Ring Bandh to commit crime; on raid, the petitioner and others were apprehended and from the petitioner 30 grams of smack (in 30 packets) and a knife were recovered, along with illegal arms and



mobiles from co-accused, and they allegedly confessed involvement in loot and criminal activities.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the alleged recovery. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.05.2024 and has three criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the recovered contraband being less than commercial quantity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two



sureties of the like amount each to the satisfaction of Court
below/concerned Court in connection with Sitamarhi P.S. Case
No. 284 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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