

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16455 of 2026

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

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Gautam Kumar S/O Sagar Rai @ Sagar Yadav R/O Vill - Ward No - 3,
Raghunathpur Raghunathpur Karari, P.S - Sahebpur Kamal, Dist- Begusarai

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-03-2026 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 25(1-B)a, 26 & 35 of the Arms Act and under Sections 8(c) and 21(b) of the Narcotic Drugs and Psychotropic Substances Act.

3. The case of the prosecution, in short, is that altogether 24 gm of *smack* was recovered from the pocket of the petitioner.

4. Learned counsel for the petitioner submits 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 has not complied Sections 50 and 52 of the NDPS Act. It has further been submitted that alleged recovery of contraband is though more than small quantity but is much less than commercial quantity. Learned counsel for the petitioner has submitted that the petitioner is in judicial custody since 03.11.2025.

5. Learned APP appearing for the state has opposed the prayer of regular 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 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 & Additional Sessions Judge- 1st-cum- Special Judge (NDPS Act) & P.O. of Children court, Begusarai.

(Ashok Kumar Pandey, J)

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