

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17532 of 2026

Arising Out of PS. Case No.-138 Year-2025 Thana- ABADPUR District- Katihar

Tarik Son of Majibur Rahman R/o Village - Balukhora, P.S. - Aabadpur, Dist.
- Katihar.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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 NDPS Act.

3. The case of the prosecution is that from the possession of one co-accused Ravi Kumar, altogether 11.01 gram of smack 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 rather the recovery has been made from the possession of co-accused Ravi Kumar. The name of this petitioner has transpired on the disclosure of



Ravi Kumar who stated that this petitioner also shares the proceeds of the sell. The witnesses of the seizure list are police personnel and police has not followed Section 105 of BNSS while preparing seizure list. 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 18.01.2026. It has further been submitted that Ravi Kumar has already been granted bail by this Court vide Cr. Misc. No. 20615 of 2026. The case of this petitioner stands on better footing.

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 Abadpur P.S. Case No. 138 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 Principal District and Sessions Judge, Katihar.

(Ashok Kumar Pandey, J)

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