

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19774 of 2026

Arising Out of PS. Case No.-153 Year-2025 Thana- Benibad District- Muzaffarpur

Prem Sagar Kumar @ Chhota Bela Son of Upendra Singh Resident of village
- Piraunchha, P.S.- Benibad, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with NDPS Case No. 185 of 2025 arising out of Benibad P.S. Case No. 153 of 2025 registered for the offence punishable under Sections 8(c) and 21(b) of the NDPS Act.

3. The case of the prosecution, in short, is that altogether 21 gm of smack like contraband was recovered from the possession of this petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that nothing has been recovered from the possession of this petitioner. Learned counsel for the petitioner has submitted that the witnesses of the seizure list are police personnel and police has not complied Section 105 of the



BNSS while making seizure. It has further been submitted that the alleged recovery of contraband is though more than small quantity but is much less than commercial quantity. Learned counsel for the petitioner has further submitted that the petitioner is in judicial custody since 27.10.2025.

5. The application for bail is opposed by learned APP for the State. It has further been submitted that the petitioner is having criminal antecedent of four cases.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned Exclusive Special Judge-II, NDPS Muzaffarpur in connection with NDPS Case No.185 of 2025 arising out of Benibad P.S. Case No.153 of 2025.

(Ashok Kumar Pandey, J)

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