

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18698 of 2026

Arising Out of PS. Case No.-462 Year-2025 Thana- KHAJANCHI HAT District- Purnia

Hemant Kumar Yadav S/O Vijay Yadav @ Vijay Kumar Yadav Resident of
Vill.- Baghmara, Ward no. 7, P.S.- K. Nagar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 24-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Khajanchi Hat P.S. Case No.462 of 2025 registered for the offence
punishable under Sections 8(c), 21(b) & 29 of the NDPS Act.

3. The case of the prosecution, in short, is that
altogether 18.55 gm of smack like contraband has been recovered
from the possession of the petitioner.

4. Learned counsel appearing on behalf of the petitioner
has submitted that nothing has been recovered from the possession
of the petitioner. Learned counsel for the petitioner has further
submitted that the witnesses of the seizure list are police personnel
and police have not complied Section 105 of the BNSS while
making seizure. Learned counsel for the petitioner has further
submitted that the alleged recovery of the contraband is though



more than small quantity but is much less than the commercial quantity. Learned counsel for the petitioner has further submitted that the petitioner is in judicial custody since 29.10.2025.

5. The application for bail is opposed by learned APP for the State and he has submitted that the petitioner is having criminal antecedent of four cases out of which one is of similar nature.

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 *with the condition that the petitioner shall not indulge in similar nature of offences and shall also co-operate in the trial and shall remain physically present on each and every date in the learned trial court.* 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 2nd Additional Sessions Judge, Purnea in connection with Khajanchi Hat P.S. Case No.462 of 2025.

(Ashok Kumar Pandey, J)

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