

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21853 of 2026

Arising Out of PS. Case No.-37 Year-2026 Thana- BIHTA District- Patna

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Mukesh Kumar S/o- Late Rajendra Prasad R/o Vill- Moudahi katesar, P.S.-
Bihta, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-04-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
Bihta P.S. Case No. 37 of 2026 registered for the offence under
Section(s) 8(c), 21(b) and 22(b) of the NDPS Act.

3. As per the prosecution case, 25.6 grams of smack
has been recovered from the possession of the petitioner and co-
accused persons. The petitioner and his two brothers have been
arrested in this case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has not committed any offence.
Petitioner is in custody since 14.01.2026 and claims clean
antecedent.

5. Learned A.P.P. for the State has vehemently



opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances and the period of custody, this application for regular bail is allowed.

7. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bihta P.S. Case No. 37 of 2026 subject to conditions that:-

(i). At the time of accepting the bail bonds of the petitioner, the Court below shall verify the fact whether the petitioner has clean antecedent or not. If it is found that the petitioner has clean antecedent then only his bail bonds shall be accepted by the Court below. However, it is made clear that the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case



and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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