

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26769 of 2026

Arising Out of PS. Case No.-80 Year-2026 Thana- KUCHAIKOTE District- Gopalganj

Rahim Alam Son of Nijamudin Miyan Resident of Village -Shivrajpur PS-
Kuchaikote District -Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 22-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Kuchaikote P.S. Case No. 80 of 2026 registered for the offence punishable under Sections 8(c) and 29 of the N.D.P.S. Act.

3. The case of the prosecution, in short, is that from the possession of the petitioner, altogether 53.2 grams of *smack* was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that nothing has been recovered from the possession of the petitioner. Police have not complied with



Sections 50 and 42 of the N.D.P.S. Act. He also submits that the witnesses of the seizure list are police personnel and the police have not complied with Section 105 of the BNSS while making the seizure. He further submits that the alleged recovery of contraband is though more than small quantity but is much less than commercial quantity. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 13.02.2026.

5. The application for bail is opposed by learned APP for the State.

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 learned Principal District & Sessions Judge, Gopalganj in connection with Kuchaikote P.S. Case No. 80 of 2026.

(Ashok Kumar Pandey, J)

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