

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25779 of 2026

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

Subhansh @ Subhansh Kumar, S/o- Mahesh Singh, R/v- Piraunchha Bhira
Tol, PS- Benibad, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 01-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with 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 from the possession of this petitioner, altogether 4.900 grams of *smack* like contraband 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. It has further been submitted that nothing has been recovered from the possession of this petitioner. It has also been



submitted that the witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. It has further been submitted that the alleged recovery of contraband is less than small quantity. It has also been submitted that similarly situated co-accused Rajesh Kumar has been granted bail by this Court vide order dated 12.03.2026 passed in Cr. Misc. No. 13743 of 2026. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 28.10.2025.

5. The application for bail is vehemently 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 Exclusive Special Judge-II (NDPS), Muzaffarpur in connection with Benibad P.S. Case No. 153 of 2025.

(Ashok Kumar Pandey, J)

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