

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28161 of 2026

Arising Out of PS. Case No.-38 Year-2026 Thana- MANSI District- Khagaria

Kundan kumar S/O Ludak Yadav R/O Mathar Ward No. 11, P.S- Muffasil,
Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 04-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Mansi P.S. Case No. 38 of 2026 registered for the offence punishable under Sections 8(c) and 21(b) of the N.D.P.S. Act.

3. The case of the prosecution, in short, is that from the possession of the petitioner, altogether 104 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. 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. 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 19.02.2026.

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 Special Judge (N.D.P.S. Act), Khagaria in connection with Mansi P.S. Case No. 38 of 2026.

(Ashok Kumar Pandey, J)

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