

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28653 of 2026

Arising Out of PS. Case No.-602 Year-2025 Thana- BEUR District- Patna

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Santosh Prasad Son of Yugeshi Prasad R/O Village - Hakam Purva Tola, P.S.-
Mohammadpur, District - Gopalganj, At Present Resident of Saichak, P.S.-
Beur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 19-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 8/21(c)/22
of the NDPS Act.

3. The case of the prosecution is that from the
possession of this petitioner, 100 grams of smack and Rs.
80,000/- cash were recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Learned
counsel for the petitioner has submitted that nothing has been
recovered from the possession of the petitioner. The witnesses
of the seizure list are police personnel and police have not



complied section 105 of BNSS while preparing seizure. Learned counsel has further submitted that the alleged recovery of contraband which has been recovered is though more than small quantity but is much less than commercial quantity. Moreover, the petitioner is languishing in judicial custody since 18.10.2025 having no criminal antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

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 released on bail in connection with Beur P.S. Case No. 602 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Spl. Judge NDPS II, Patna.

(Ashok Kumar Pandey, J)

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