

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32469 of 2026

Arising Out of PS. Case No.-4 Year-2026 Thana- LAUHIYANAGAR District- Begusarai

Rajnish Kumar S/o Mohan Jha, R/o Village -Lohiya Nagar, P.S. - Lohiya Nagar, Dist. - Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Shubhesh Pandey, Advocate
For the State	:	Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-05-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with N.D.P.S. P.S. Case No. 05 of 2026, arising out of Lohiya Nagar P.S. Case No. 04 of 2026, dated 17.01.2026, registered for the offences punishable under Sections 8(c) and 21(b) of the B.N.S., 2023.

3. As per the prosecution case, Police received information about petitioner and co-accused selling smack. The Police conducted a raid and apprehended this petitioner and from his possession, recovery of 5.15 grams of smack was made, apart from cash of Rs. 1,100/- and a mobile phone.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Nothing incriminating has



been recovered from person or possession of this petitioner. The mandatory procedure prescribed for search and seizure has not been followed. The recovery made from the petitioner is just above the small quantity. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 18.01.2026.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the quantity of contraband seized from the petitioner and also considering his period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-I-cum Special Judge, NDPS Act & P.O. of Children Court, Begusarai / concerned Court, in connection with **N.D.P.S. P.S. Case No. 05 of 2026, arising out of Lohiya Nagar P.S. Case No. 04 of 2026**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and



other following conditions:

- (i) *One of the bailors will be a close relative of the petitioner.*
- (ii) *The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.*
- (iii) *In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.*

(Arun Kumar Jha, J)

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