

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31352 of 2026

Arising Out of PS. Case No.-1693 Year-2025 Thana- AHIYAPUR District- Muzaffarpur

Gaurav Nikhil, aged about 25 years (Male), son of Lalan Kumar Siongh,
resident of village- Bela Gopi, Ward No.-7, P.S. Gaighat, Distt. Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar & Ors.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Barj Kishore Sharma, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH
ORAL ORDER

3 15-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. This is an application for grant of regular bail to the petitioner in connection with Ahiyapur (Garaha) P.S Case No. 1693 of 2025 dated 07.10.2025 registered for offences punishable under Section 111 of BNS and 25(1-B)a, 26, 35 of Arms Act and Section 8(c), 21(b) of N.D.P.S. Act.

3. As per the prosecution case, there is recovery of one loaded country-made pistol with two live cartridges and 41 puriyas of smack like substance weighing 18.04 grams.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that petitioner has no criminal antecedent of similar nature. It is further submitted that the



recovery of 18.04 Gram is comparatively small quantity under N.D.P.S. Act, which is intermediate and less than commercial quantity. It has also been submitted that mandatory provisions under Section 42 and 50 of the N.D.P.S. Act as well as Section 105 of BNSS Act has not been complied. The petitioner is in custody since 08.12.2025 and petitioner will not absconding and tampering with the evidence if he has been granted bail.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner is in custody since 08.12.2025 and petitioner has no criminal antecedent of similar nature, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Special Judge-Exclusive Special Court-I (NDPS), Muzaffarpur, in connection with Ahiyapur (Garaha) P.S Case No. 1693 of 2025, subject to following conditions:-

(i) One of the bailors should be family member of the petitioner.

(ii) Petitioner will co-operate in the trial and will remain present on all dates personally or should be duly



represented through his counsel and whenever required to be physically present by the court, he should physically appear in the Court on that date.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

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