

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32877 of 2026

Arising Out of PS. Case No.-229 Year-2025 Thana- Bariyarpur District- Muzaffarpur

Nitesh Kumar S/O Ram Dayal Singh R/O Village- Parsauniya, P.S.- Mahua,
District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 14-05-2026 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 20(b)(ii)(B) of the N.D.P.S. Act, Section 111 of BNS and Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. The case of the prosecution is that three persons were intercepted by the police and it is alleged that from the possession of this petitioner, only a mobile has been recovered whereas the third persons who was sitting on that bike and from his possession, altogether 4.31 kg of ganja was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Learned counsel for the



petitioner has submitted that nothing has been recovered from the possession of this petitioner. It has further been submitted that while making seizure, Section 105 of B.N.SS. has not been complied and the seizure list witnesses are police personnel. It has also been submitted that though the quantum of the contraband which has been recovered is more than small quantity but is much less than commercial quantity. Petitioner is having no criminal antecedent. Moreover, he is languishing in judicial custody since 26.12.2025.

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 Bariyarpur P.S. Case No. 229 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 Special Court No.-II, NDPS, Muzaffarpur.

(Ashok Kumar Pandey, J)

Shubham/-
Sneha/-

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