

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31588 of 2026

Arising Out of PS. Case No.-85 Year-2026 Thana- MAIRWAN District- Siwan

Mithun Kumar @ Mithun Rajbhar S/O Late Kailash Rajbhar Residethn of
Village- Bhartoli, P.S- Kopa, District- Chapra (Saran).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arbind Kumar, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-05-2026 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 8(c)/20(b) (ii) 21, and 29 of the NDPS Act.

3. The case of the prosecution is that from the possession of this petitioner, altogether 16.3 grams of brown sugar along with Rs. 1700 was 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 the seizure list.



It has further been submitted that though the quantum of contraband which has been recovered from the possession of this petitioner is more than small quantity but is much less than commercial quantity as per NDPS Act. Moreover, the petitioner is languishing in judicial custody since 21.02.2026.

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 Mairwan P.S. Case No. 85 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Siwan.

(Ashok Kumar Pandey, J)

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