

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31961 of 2026

Arising Out of PS. Case No.-228 Year-2026 Thana- AGAMKUAN District- Patna

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Anshu Raj Kumar son of Ram Nath Mahto @ Ram Nath Kumar R/O Jaypur
Dhanuki, P.S- Agamkuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Prasad Sinha, Avocate

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Agamkuan P.S. Case No. 228 of 2026 registered for the alleged offences under Sections 21, 22(b) of the Narcotic Drug and Psychotropic Substances Act.

03. As per prosecution case, three persons on a bike were apprehended by the police and on search, altogether 5.4 gram of Alprazolam was recovered from their possession.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from person or possession of the petitioner. Though the quantum of contraband seized more than the small quantity but much less than the



commercial quantity. Learned counsel further submits that mandatory provisions of Section 105 of BNSS have not been followed while making search and seizure and the seizure list witnesses are the police personnel. Learned counsel further submits that co-accused persons, namely Sashi Kumar @ Shahi Kumar and Premjit Kumar have been granted bail by a learned Co-ordinate Bench vide order dated 04.05.2026 passed in Criminal Misc. No. 28251 of 2026 and order dated 06.05.2026 passed in Criminal Misc. No. 29578 of 2026, respectively. The petitioner is having clean antecedent and is in custody since 08.03.2026.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the seizure of contraband which is just more than the small quantity and further considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge, NDPS Act, Patna/court concerned in connection with Agamkuan P.S. Case No. 228 of



2026, subject to the conditions mentioned in Section 480(3) of
BNSS and the 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.
- (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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