

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33102 of 2026

Arising Out of PS. Case No.-43 Year-2025 Thana- Basmatia District- Araria

Pyara Limbu Son of Bamb Bahadur Limbu @ Chandra Bahadur Resident of
Village- Gaon Devi, Ward No, 05, P.S.- Patanbaari, District- Dharan, (Nepal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, 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 8(c) and 21(b) of the NDPS Act.

3. The case of the prosecution is that from the pocket of this petitioner, altogether 20 grams of brown sugar 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 while making seizure, Sections 105 of B.N.S.S. and Section 50 of NDPS Act have 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 from the possession of this petitioner 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 28.08.2025.

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 Basmatiya P.S. Case No. 43 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 Sessions Judge-cum-Special Judge (NDPS Act), Araria.

(Ashok Kumar Pandey, J)

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