

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34913 of 2026

Arising Out of PS. Case No.-27 Year-2026 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Gaurav Kumar Sah, S/O Late Shyam Prasad Sah @ Shyamlal Sah, R/O
Mohalla- Mohaddinagar, P.S.- Babarganj, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manendra Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 20-05-2026 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 21(b),
22 of the NDPS Act.

3. The case of the prosecution, in brief, is that the
informant has informed the police that a green bag was lying
unclaimed. On this information, the bag was searched and from
there altogether 102.80 gram of Brown Sugar and a mobile
phone was recovered.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that, nothing has been



recovered from possession of the petitioner. The bag from which the recovery has been made does not belong to the petitioner. It is also submitted that all the witnesses to the seizure list are police personnel, and the police have not complied the mandatory provisions of Section 105 of the B.N.S.S. It is further argued that the alleged recovered quantity is more than small quantity but significantly less than commercial quantity. The petitioner is in custody since 03.03.2026 and has no criminal antecedent.

6. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

7. Considering the aforesaid 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 Kotwali (Bhagalpur) P.S. Case No. 27 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 Chief Judicial Magistrate, Bhagalpur/concerned Court.

(Ashok Kumar Pandey, J)

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