

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34904 of 2026

Arising Out of PS. Case No.-97 Year-2026 Thana- BIDUPUR District- Vaishali

Mahendra Rai @ Mahendra Kumar Son of Bhukhlu Rai Resident of Village-
Bidupur Dih, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Renu Kumari, APP

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 through Video Conferencing.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 111(2) (b) of B.N.S. and Sections 8(c), 21(b) and 29 of the NDPS Act.

3. The case of the prosecution, in brief, is that altogether 20.20 grams of smack/heroin like contraband was recovered.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. Nothing has been recovered from possession of this 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 though the alleged recovered quantity is more than small quantity but is much less than commercial quantity. Petitioner is having four cases of similar nature and he is in custody since 24.02.2026.

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

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail with the condition that petitioner shall cooperate in trial and shall physically present on each and every date. One of the bailers should be near relative of the petitioner and **petitioner shall not indulge himself in similar nature of offence in future.** The above named petitioner is directed to be released on bail in connection with Bidupur P.S. Case No. 97 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-cum-Special Judge (NDPS Act), Vaishali/concerned Court.

(Ashok Kumar Pandey, J)

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