

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37387 of 2026

Arising Out of PS. Case No.-106 Year-2026 Thana- SIMRAHA District- Araria

Mukesh Kumar Mehta S/o Anmol Mehta R/o Village - Pothiya Sirsiya, W.
No. 01, P.S. - Forbesganj, Dist. - Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Pramod Kumar Singh, Advocate
	Ms. Shreyashi Raj, Advocate
For the Opposite Party/s :	Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH
ORAL ORDER

3 28-07-2026 Heard Ms. Shreyashi Raj, learned counsel appearing
on behalf of the petitioner and Mr. Umeshlal Verma, learned
APP for the State.

2. The present application has been filed on behalf of
the petitioner for grant of regular bail in connection with
Simraha P.S. Case No. 106 of 2026 for the offence punishable
under section 8(c)/ 21(b) of Narcotics Drugs and Psychotropic
Substance Act, 1985.

3. As per the prosecution case, the informant received
information that the petitioner was involved in sale and
smuggling of the narcotic substance like “smack” from his shop.
Based on this information, raiding team reached the shop of the
petitioner from where this petitioner was apprehended. During
search, a substance resembling smack was recovered and upon



weighing, 99.03 grams was found and since there was no independent witness, two members of the raiding team was made the seizure list witnesses. On the basis of aforesaid incident, this FIR was instituted.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case and no alleged recovery is made from the conscious possession of this petitioner. It has further been submitted that the seizure list appears to have been prepared prior to the registration of the FIR. That the FIR is recorded at 20:40 hours whereas the seizure list bears the time of 18:40 hours, nearly two hours prior to the institution of F.I.R. It is further submitted that the alleged recovery of 99.03 grams of smack from a grocery shop, which falls on the lower side of the prescribed commercial quantity. The petitioner is in custody since 18.04.2026 having clean antecedent.

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

6. Considering the facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Session Judge-cum-the Special Judge,
NDPS Act, Araria in connection with Simraha P.S. Case No. 106
of 2026, subject to following conditions:-

(i) One of the bailors should be family member of the
petitioner.

(ii) Petitioner will co-operate in the trial and will
remain present on all dates personally or should be duly
represented through his counsel and whenever required to be
physically present by the court, he should physically appear in
the Court on that date.

(iii) If the petitioner tampers with the evidence or the
witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Kumar Manish, J)

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