

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44316 of 2026

Arising Out of PS. Case No.-309 Year-2026 Thana- MAHUA District- Vaishali

Prakash kumar Son of Late Umesh Mahto @ Umesh Mahato Resident of
Village- Katahara, Harpur, P.S.- Kathara, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Ziaul Quamar, Advocate. Ms. Puja Kumari, Advocate. Mr. Akhilesh Kumar, Advocate.
For the Opposite Party/s	:	Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail registered for the
offence punishable under Sections 8(c) and 21(b) of the
N.D.P.S. Act.

3. The case of the prosecution, in short, is that from
the possession of this petitioner, altogether 79 grams of heroin
like contraband was recovered.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this
case. He also submits that nothing has been recovered from the
possession of the petitioner. The witnesses of the seizure list are



police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. He further submits that the alleged recovery of contraband is though more than small quantity but is much less than commercial quantity. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 27.04.2026.

5. The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, NDPS Act, Vaishali in connection with Mahua P.S. Case No. 309 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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