IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78323 of 2026

CNR No. BRHC011023042026

Arising Out of PS. Case No.-253 Year-2026 Thana- BHAPTIAHI District- Supaul

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Aaditya Kumar S/O Deo Narayan Yadav R/O Village- Saraigadh, Ward no. 12, PS- Bhaptiyahi, Distt- Supaul

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner, Mr. Murari Narain Chaudhary and Mr. Sanjay Kumar Singh, learned APP on behalf of the State.

2. This is an application for grant of regular bail to the petitioner who has been made accused in connection with Bhaptiyahi P.S. Case No. 253 of 2026 registered for the offences punishable under Sections 21(b), 29 and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and Sections 25 (1-B)(a), 26 and 35 of the Arms Act, 1959 and Sections 18 and 27(b)(ii) of the Drugs and Cosmetics Act, 1940.

3. As per the prosecution case, there is a recovery of 6 grams of alleged smack like substance from a small white steel box kept in the pocket of trousers of the petitioner.

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4. Learned counsel for the petitioner submits that the petitioner is quite innocent, has committed no offence and has falsely been implicated in this case merely at the instance of his close agnate, with whom several litigation are going on.

5. It is further submitted on behalf of the petitioner that the alleged recovery of 6 grams of white powder like substance from the pocket of the petitioner has not been conclusively established as a narcotic substance at the stage of alleged recovery, as the same was never sent for examination. It is further stated that none of the contraband or incriminating material was recovered either from the house or conscious possession of the petitioner and the alleged quantity recovered is much less than the commercial quantity. The petitioner belongs to respectable family of his locality and his father is a renowned teacher.

6. The petitioner is a student aged nineteen years and is languishing in judicial custody since 25.08.2026 and having clean antecedent.

7. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts that the petitioner is a student aged nineteen years and has clean antecedent, the

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period of custody as also taking into consideration the materials available on record, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Court (N.D.P.S.), Supaul/ In Charge Successor Court in connection with Bhaptiyahi P.S. Case No. 253 of 2026, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioner.

(ii) the petitioner shall co-operate in 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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