IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74117 of 2026

CNR No. BRHC011024382026

Arising Out of PS. Case No.-121 Year-2026 Thana- KATIHAR NAGAR District- Katihar

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Md. Sakib Son of Late Md. Mustak Resident of Village- Rampara, Ward No.23, P.S.- Katihar Nagar, District- Katihar

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Kunwar Ajit Singh, Advocate
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 28-10-2026 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), 21(c), 22, 25 and 27 of the NDPS Act.

3. The case of the prosecution, in short, is that 11,400 tablets of Aszolam and 2,400 capsules of Pyeevon Spas Plus were recovered from the possession of the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has committed no offence. He has been falsely implicated in the present case. He further submits that nothing has been recovered from the possession of the petitioner. The witnesses of the

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seizure list are police personnel and the police have not complied with the provisions of Section 105 of the BNSS while making the seizure. He further submits that as far as quantity of Tramadol in the pyvon spas plus tablet is concerned, the quantity recovered is less than the commercial quantity. As regards the tablets of Alprazolam, the quantity recovered is more than small quantity but is much less than commercial quantity. Moreover, the petitioner is languishing in judicial custody since 01.02.2026.

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 District & Additional Sessions Judge-I, Katihar in connection with Katihar Nagar P.S. Case No. 121 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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