IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76854 of 2026

CNR No. BRHC011091622026

Arising Out of PS. Case No.-143 Year-2026 Thana- BHAGWAN BAZAR District- Saran

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Ganesh Kumar S/O Jitendra Mahto R/O Village- Ratanpura, P.S- Bhagwan Bazar, Distt.- Saran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ravi Prakash, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Bhagwan Bazar P.S. Case No. 143 of 2026, lodged on 16.02.2026, under Section 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (Act No. 61 of 1985).

3. As per the prosecution, the FIR has been lodged against four named accused persons with the allegation that the accused persons used to sell smack. Total recovery of 7.10 grams of smack was made from the conscious possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He

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submits that the petitioner is in custody since 17.02.2026 and charge-sheet has already been filed in this case. Counsel submits that the petitioner is ready to fulfill all conditions whatsoever shall be imposed upon him. Learned counsel for the petitioner further submits that the small quantity for smack is 5 grams, and from the petitioner's possession, 7.10 grams has been recovered. Counsel submits that he has been unnecessarily made an accused in this case, in spite of the fact that his antecedent is clean.

5. Learned counsel for the State, on the other hand, opposes the prayer for bail and fairly submits that intermediate quantity of smack has been recovered from the petitioner's possession.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1) (d) of the BNSS, 2023 to the satisfaction of learned 1st Additional Sessions Judge, Saran at Chapra, in connection with Bhagwan Bazar P.S. Case No. 143 of 2026, subject to the conditions as laid down under Section 480(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with further conditions that:

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(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide; and

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself.

(Dr. Anshuman, J)

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