IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78875 of 2026

CNR No. BRHC011127172026

Arising Out of PS. Case No.-194 Year-2026 Thana- THAKURGANJ District- Kishanganj

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Bharat Sah Son of Late Niranjan Sah R/o vill- College More, Thana- Thakurganj, District- Kishanganj

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Rajeev Ranjan, Adv.
For the Opposite Party/s : Mr.Satya Nand Shukla, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner as well as learned A.P.P. on behalf of the State.

2. The petitioner has been made an accused in a case registered for the offences punishable under Sections 8(c), 21(b) and 29 of the N.D.P.S. Act.

3. As per the allegations made in the F.I.R., 157.66 grams of brown sugar has been recovered from the conscious possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. Learned counsel further submits that the provisions of Sections 103 and 105 of the B.N.S.S and Section 50 of the N.D.P.S. have not been complied with. It is further submitted that the contraband

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recovered falls within the ambit of an intermediate quantity. Learned counsel further submits that the petitioner has clean antecedent. Learned counsel lastly submits that the petitioner undertakes to cooperate in the trial and not to repeat any such offence.

5. The petitioner has been in judicial custody since 20.06.2026.

6. Learned A.P.P. on behalf of the State has opposed the application.

7. Taking into consideration that the contraband recovered is falling within the ambit of an intermediate quantity and the petitioner has a clean antecedent, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Kishanganj or concerned Court, in connection with Thakurganj P.S. Case No. 194 of 2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of the trial.

(ii) One of the bailors must be a close relative of the petitioner, such as his mother, father, brother, sister or wife.

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(iii) The petitioner will appear on each and every date fixed by the trial court and if he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iv) If the petitioner repeats an offence of a similar nature, his bail bond shall be liable to be cancelled by the Court below after following due process of law.

(v) Before release, the learned Court below shall verify the criminal antecedent of the petitioner and if the petitioner is found involved in any case other than the present one, his bail bond shall not be accepted.

(vi) It is also made clear that there shall be no delay in verifying the criminal antecedents of the petitioner and the delay shall not extend beyond the period of ten days.

(Raj Kumar, J)

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