IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79896 of 2026

CNR No. BRHC011138142026

Arising Out of PS. Case No.-224 Year-2026 Thana- Sarai P.S. District- Siwan

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Raju Kumar Yadav Son of Late Wakil Yadav Resident of Village- Lakshmipur, P.S.- Siwan Town, District- Siwan

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Dhananjay Kumar Shahi, Advocate
For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Sarai P.S. Case No. 224 of 2026 registered for the alleged offences under Sections 8, 21(B), 22 of NDPS Act.

03. As per prosecution case, recovery of 7.48 grams of smack like substance was made from the petitioner.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Though the contraband was said to be seized from the petitioner but it was not seized from his conscious possession as is apparent from the FIR that the petitioner picked the

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contraband from the road. Moreover, the weight of the contraband was not 7.48 grams as at the time of sending the sample for testing, the weight of the contraband was taken and it was 5.9 grams only which is just above small quantity. Therefore, the whole story of recovery of smack from the petitioner gets falsified. The petitioner is having antecedent of six cases and he is on bail in all the cases. The petitioner is in custody since 22.07.2026 and charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the quantity of contraband seized and also considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to 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 Additional District & Sessions Judge-I -cum- Special Judge, Siwan/concerned Court in connection with Sarai P.S. Case No. 224 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

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(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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