

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79360 of 2025

Arising Out of PS. Case No.-110 Year-2025 Thana- BANGAWON District- Saharsa

Raj Narayan Kumar, aged about 26 years, S/o Chhedi Paswan R/o Village-
Thutha, ward no 05, Ps- Mahishi, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 79423 of 2025

Arising Out of PS. Case No.-110 Year-2025 Thana- BANGAWON District- Saharsa

Chandan Kumar, aged about 21 years, S/O Pawitar Pandit Resident of
Baluaha, Ward no. 14, P.S.- Mahishi, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 79360 of 2025)
For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP
(In CRIMINAL MISCELLANEOUS No. 79423 of 2025)
For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 17-01-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. Petitioners are in custody in a case registered for
the offence punishable under Sections 8(c), 21(b) of the NDPS
Act.

3. As per the allegation in the FIR, 20.02 (0.2) grams



of smack has been recovered from a four wheeler bearing Registration No. BR-19P4641 and petitioners were travelling on the said vehicle.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. He next submits that no incriminating articles have been recovered from the conscious possession of the petitioners except their mobile phones. He further submits that petitioners are neither owner of the alleged seized vehicle and nor the driver. He next submits that similarly situated co-accused person, namely, Nandu Das has already been granted bail by this Court vide order dated 03.12.2025 passed in Cr. Misc. No.78086 of 2025. He next submits that petitioners are in custody since 16.07.2025 and have got no criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. On perusal of the FIR, case diary and impugned order dated 16.10.2025, it appears that no incriminating articles have been recovered from the conscious possession of these petitioners and they have got no criminal antecedents as well as the fact that similarly situated other co-accused persons namely,



Nandu Das has already been granted bail by this Court vide order dated 03.12.2025 passed in Cr. Misc. No.78086 of 2025. So, considering the aforesaid facts and circumstances of the case and submission of learned counsel for the petitioners, let the above-named petitioners be released on bail, on their furnishing bail bonds of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Saharsa in connection with Bangaon P.S. Case No.110 of 2025.

(Ramesh Chand Malviya, J)

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