

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82336 of 2025

Arising Out of PS. Case No.-678 Year-2025 Thana- SIWAN MUFFASIL District- Siwan

Ankit Kumar S/O Rajkapur @ Rajkapur Prasad R/O Village - Koirigawa, P.S-
Barharia, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 05-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Siwan Muffasil P.S. Case No. 678 of 2025 dated 19.09.2025 registered for the offences under Sections 8, 20(b)ii(a) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. The prosecution case is that the police conducted a raid and apprehended one person at the bus-stand and on his lead another raid was conducted where four persons were found to be present in a room and on search altogether 32 grams of smack like contraband was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and no such recovery has been made from his conscious



possession. It has been submitted that the petitioner has been made accused in one case of similar nature. It is next submitted that admittedly the recovery was made from a room and the police has submitted charge-sheet without the FSL report confirming that the contraband was smack. It has also been submitted that the quantity of the contraband recovered was less than commercial quantity and therefore, the rigors of Section 37 of the NDPS Act shall not be attracted.

5. The petitioner is in custody since 20.09.2025.

6. Learned APP has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances and taking into account that similarly situated accused persons namely Salendra Kumar @ Salendra Kumar Yadav (Cr. Misc. No. 80176 of 2025) and Amar Soni (Cr. Misc. No. 80286 of 2025) have been granted bail by co-ordinate Benches of this Court, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Siwan in connection with Muffasil P.S. Case No. 678 of 2025 subject to the following terms and conditions:

(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, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) the trial court shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the trial court shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

(v) the petitioner is directed to appear before the SSP, Siwan fortnightly to mark his attendance.

8. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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