

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84098 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Darbhanga

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Manoj Kumar Shah @ Manoj Kumar Sah S/O Shambhu Prasad Shah R/O
Mohalla- Kaiderabad Neem Pokhar, University LNMU, Distt.- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Central Bureau of Narcotics through Union of India Union of India

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Alok, Advocate Mr. Hans Lal Kumar, Advocate
For the State	:	Mr. Umanath Mishra, APP
For the U.O.I.	:	Mr. Vijay Kishore Bharti, Advocate (C.G.C.) Mr. Abhijeet Gautam, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
CAV ORDER

5 29-01-2026 Heard learned counsel for the petitioner; learned APP
for the State and learned counsel for the Union of India.

2. The petitioner has prayed for bail in connection
with GO No. 23 of 2025 arising out of CBN CRIME No. 08 of
2025 registered for the offence punishable under Sections 08/22
and 08/29 of the NDPS Act.

3. The case of the prosecution is based on the
statement of the petitioner, which was recorded by Sub-
Inspector Central Narcotics Bureau, Lucknow. According to the
statement of the petitioner, he was involved in selling *ketamine*
injections, and he has obtained the *ketamine* injections in the



name of Krish Drugs Agency and was made available to him by Themis Medicare Ltd., Haridwar, and they were sold to different persons and different agencies.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner submits that the case of the prosecution is based solely on the statement of the petitioner. It has further been submitted that the confessional statement recorded under Section 67 of the NDPS Act is not a legal material as held by the Hon'ble Apex Court in the case of **Tofan Singh v. State of Tamil Nadu, (2021) 4 SCC1**. A statement given before police is not admissible even in NDPS cases and that nothing has been recovered from the petitioner rather there is only a dispatch register to show that Themis Medicare Ltd. has dispatched 81,800 injections of *Ketamine* of 10 ml each. The petitioner is having criminal antecedent of one case which is not of similar in nature. He further submits that the petitioner is languishing in judicial custody since 11.09.2025.

5. As against this, the learned APP for the State has vehemently opposed the prayer for regular bail of the petitioner and submits that more than commercial quantity of *ketamine* has been sold by this petitioner which is apparent from the



documents that have been recovered from the possession of this petitioner.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-I, Darbhanga in connection with GO No. 23 of 2025 arising out of CBN CRIME No. 08 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

AFR/NAFR	NAFR
CAV DATE	13.01.2026
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