

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85633 of 2025

Arising Out of PS. Case No.-427 Year-2025 Thana- PARSABAZAR District- Patna

Mukesh Kumar, Son of Dinesh Prasad @ Dinesh Prasad Yadav, Resident of
Mokimpur, P.S.- Parsa Bazar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 08-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner, who is in custody, seeks bail in connection with Parsa Bazar P.S. Case No.427 of 2025 registered for the offences punishable under Section 111(2)(b) of the Bharatiya Nyaya Sanhita, 2023 and Section 8(c) and 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. As per the prosecution case, the informant received secret information about some persons who were engaged in the illegal sale of smack/brown sugar, on which a raid was conducted and on seeing the police party few persons attempted to flee, however, the police chased them and apprehended four persons, namely, Golu Kumar, Aakash Kumar, Mukesh Kumar (petitioner) and Rohit Kumar. On search being conducted total



8.50 grams of Brown Sugar and a mobile were recovered from the possession of Golu Kumar and several recoveries were made from other persons, while one mobile was recovered from the pocket of the petitioner, Mukesh Kumar.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no recovery of any narcotic substance was made from his conscious possession. It has further been submitted that brown sugar is said to have been recovered from Golu Kumar. It has also been submitted that the seizure list does not contain signature of any independent witness, while the petitioner has one criminal case against his name and he is in custody since 14.10.2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Parsa Bazar P.S. Case No.427 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall



be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two 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.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below 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 court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

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

(Sourendra Pandey, J)

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