

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85495 of 2025

Arising Out of PS. Case No.-119 Year-2025 Thana- PAHARKATTA District- Kishanganj

Pappu Prasad Gupta S/O Late Mahesh Prasad Gupta Resident of Village-
Chhatargachh, Ward No. 3, P.S- Paharkatta, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 06-01-2026 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Paharkatta P.S. Case No. 119 of 2025, dated 30.09.2025, instituted for the offences under Sections 8(c) and 21(b) of the N.D.P.S. Act.

3. As per prosecution case, the allegation against the petitioner is that he along with another co-accused namely Md. Dukha @ Islam Ansari @ Dukha Islam were apprehended and total 26.44 Gm brown sugar was recovered from the possession of co-accused Md. Dukha @ Islam Ansari @ Dukha Islam.

4. Learned counsel for the petitioner submits that admittedly no incriminating article was recovered from the



conscious possession of the petitioner, rather 26.44 Gm smack was recovered from co-accused Md. Dukha @ Islam Ansari. It has next been submitted that petitioner has two criminal cases and he is in custody since 01.10.2025. It has lastly been submitted that co-accused Md. Dukha @ Islam Ansari @ Dukha Islam has been enlarged on bail by a Coordinate Bench of this Court vide order dated 12.12.2025, passed in Cr. Misc. No. 84005 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, N.D.P.S Act, Kishanganj in connection with Paharkatta P.S. Case No. 119 of 2025, subject to the following 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 by the Court below, 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 bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the 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 the same or in the name of verification.

(v). In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.



7. 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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