

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86978 of 2025

Arising Out of PS. Case No.-126 Year-2025 Thana- CHORAUT District- Sitamarhi

Praveen Kumar @ Praveen Kumar Manjhi S/o- Shyam Manjhi @ Shyam Manghi Resident of Village and Post- Yadupatti PS- Chorout, Dist- Sitamarhi

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Home, Narcotic Drugs Control Bureau, New Delhi New Delhi
2. The State of Bihar through the Dept. of Narcotic Drugs Control Bureau, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar, Advocate
For the UOI	:	Mr. K.N.Singh, ASG

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 08-01-2026 This case has been taken for an out-of-turn hearing on the request of the learned counsel for the petitioner, stating therein that the father of the petitioner had died during the pendency of this application.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. Petitioner, who is in custody, seeks bail in connection with Chorout P.S. Case No. 126 of 2025 registered for the offences punishable under Sections 8(C), 21(A), 22(A) and 20(b)(ii)(A) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

4. As per the prosecution case, the police, on a tip of



certain narcotic had been kept in a shop, conducted a raid and apprehended the petitioner and total 74.60 grams of ganja along with 10 tablets of Nitrazepam 10 mg and four bottles of cough syrup were recovered.

5. Learned counsel for the petitioner submits that the petitioner is a nineteen years old boy and he was helping his father in a grocery shop and was not aware of the contents kept in the shop. It has next been submitted that even taking the quantity at its face value, the same falls below the small quantity and hence the rigour of Section 37 of NDPS Act is not applicable in the present case. It has lastly been submitted that the petitioner carries clean antecedent and he is in custody since 11.10.2025.

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

7. 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 Chorout P.S. Case No. 126 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.

8. Accordingly, the prayer for bail is allowed.

9. 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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