

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87717 of 2025

Arising Out of PS. Case No.-338 Year-2025 Thana- SAHEBGANJ District- Muzaffarpur

Aman Kumar @ Aman Kumar Giri S/O Rakesh Giri R/O Vill.- Balmi
Sirsiya,P.S- Kalayanpur,District- East Champaran,Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-02-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with N.D.P.S. Case no.126 of 2025, arising out of Sahebganj P.S. Case no.338 of 2025, registered under section 317(5) of the Bhartiya Nyaya Sanhita, 2023, sections 25(1-B)(a), 26 and 35 of the Arms Act and sections 8(c) and 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, on a search being conducted of the TVS motorcycle, from the possession of the petitioner who was a pillion rider on the same, it is stated that 40 *purias* of smack weighing a total of 17 grams was recovered.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's possession who has been falsely implicated in the case. Though



the alleged quantity said to be recovered is more than the small quantity but is less than commercial quantity. The petitioner is in custody since 26.6.2025 and charge-sheet has been submitted in the case. He undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State, who submits that the petitioner is accused from before in as many as eight cases including a case under the N.D.P.S Act. It is further submitted that the FSL report dated 26.9.2025 confirms the incriminating substance recovered to be Morphinan along with Trimethoprim.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, the contents of the FSL report as stated herein above together with the petitioner having antecedents of eight cases including a case under the N.D.P.S. Act, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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