IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58758 of 2026

Arising Out of PS. Case No.-131 Year-2025 Thana- MUSAHARI District- Muzaffarpur

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Bharat Kumar, Son of Baidyanath Sahni @ Bainath Sahani, Resident of Village- Bochahan Dharma @ Bhagawanpur Bochaha, P.S.- Bochaha, District- Muzaffarpur.

... ... Petitioner/s

Versus

The State of Bihar ... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Nachiketa Jha, Adv.
For the Opposite Party/s : Mr. Ankur Agraj, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

2 21-08-2026 Heard the parties.

2. Petitioner seeks regular bail in connection with N.D.P.S. Case No. 112 of 2025, arising out of Mushahari P. S. Case No. 131 of 2025 registered for the offence(s) punishable under Section(s) 317(5) of the B.N.S. and Sections 25(1-B)a, 26 and 35 of the Arms Act and Sections 8 and 20(b)(ii)(B) of the NDPS Act.

3. The main submissions advanced by learned counsel for the petitioner are that this is the second attempt of the petitioner to get the relief of regular bail as his earlier bail prayer was rejected by this Bench vide order dated 13.01.2026 passed in Cr. Misc. No. 90106 of 2025 wherein the petitioner was given a liberty to renew his bail prayer either after six

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months from the date of the said order or after the examination of the seizure-list witnesses and in the light of the said liberty, petitioner has renewed his prayer. It is further submitted that after the rejection of the petitioner's first prayer, a period of more than six months has elapsed and both the seizure-list witnesses have been examined and both the circumstances are presently in favour of the petitioner's prayer for bail. It is lastly submitted that the petitioner has been languishing in jail since 08.06.2025 and that the instant matter relates to the recovery of 1.850 kg of a substance alleged to be *'Ganja'*, which is only slightly greater than the prescribed small quantity. The petitioner has suffered considerably during the period of his incarceration.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the above submissions and mainly taking note of the petitioner's period of custody as well as the aforesaid two circumstances, which are in favour of the petitioner's prayer, in view of the liberty granted to him in the last order rejecting his prayer for bail, this court is now inclined to grant him the relief of bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.

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20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with N.D.P.S. Case No. 112 of 2025, arising out of Mushahari P. S. Case No. 131 of 2025.

(Shailendra Singh, J)

Rajiv/-

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