

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43261 of 2026

Arising Out of PS. Case No.-185 Year-2026 Thana- KALYANPUR District- Samastipur

Sushil Kumar Pal @ Sushil Pal, S/O Kishuni Pal @ Kishani Pal, R/O Village-
Birsinghpur, Ward No.- 05, P.S.- Kalyanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mrs.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 18-08-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Kalyanpur P.S. Case No. 185 of 2026, registered for the offences under Sections 8/20(b)(ii)(A) of the NDPS Act.

3. As per the prosecution case, recovery of 1.126 kg *ganja* was made from the auto being driven by the petitioner concealed in a potato sack.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence in the manner as alleged has ever taken place. Nothing incriminating has been recovered from the person or possession of the petitioner. The



petitioner has no concern with the seized contraband which was loaded by some other person who fled away from the auto of the petitioner. In fact the petitioner is neither owner nor the driver of the auto. The quantity of recovered ganja like substance is less than the commercial quantity though it is just more than small quantity. The petitioner is in custody since 01.06.2026 and he is having antecedent of two cases but they are of different nature.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the quantity of the recovered contraband and period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Principal District & Sessions Judge, Samastipur/ concerned court, in connection with Kalyanpur P.S. Case No. 185 of 2026, subject to the condition laid down under Section 480(3) of the BNSS and other 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 three
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.

(Arun Kumar Jha, J)

Pallavi/-
Anuradha/-

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