

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50294 of 2025

Arising Out of PS. Case No.-12 Year-2024 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- East Champaran

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Sumit Kumar S/O Late Hulas Prasad Yadav @ Hulas Raut Resident of
Village- Champapur, P.S.- Ramgarhwa and District- East Champaran (Bihar),
Pin- 845433. Petitioner/s

Versus

The Union of India through NCB, Patna Zonal Unit Karpoori Thakur Sadan,
Rajiv Nagar, Patna. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Upadhyay, Advocate
For the Opposite Party/s : Dr. Krishna Nandan Singh (A.S.G)

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 15-12-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 8(C), 9(A),
21(C), 25, 25(A) and 29 fo the NDPS Act.

3. The case of the prosecution in short is that on the
basis of specific information the complainant two kilogram of
heroin on 12.12.2024 from Tata Punch car bearing registration no.
BR-06 DH-1768 and two persons namely Ratnesh Kumar Mishra
and Dharamveer Kumar Pandey were apprehended.

4. Learned counsel for the petitioner has submitted that
from perusal of the FIR it is clear that Ranjeet Prasad @ Ranjeet
Kumar and this petitioner were apprehended only on the basis of
confessional statement of co-accused. During course of
investigation Ranjeet has given his confessional statement and this



petitioner has also given his confessional statement. It has been submitted that nothing has been recovered from the possession of this petitioner. It has further been submitted that the confessional statement recorded under Section 67 of the NDPS and is not a legal material as held by Hon'ble Apex Court in the case of **Tofan Singh v. State of Tamil Nadu, (2021) 4 SCC1**. Save and except the confessional statement there is nothing against this petitioner. Learned counsel for the petitioner has submitted that the petitioner is a man of clean antecedent and is in judicial custody since 12.12.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer of bail to the petitioner.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with NDPS Case No. PZU/V/12/2024 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge, East Champaran, Motihari.

(Ashok Kumar Pandey, J)

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