

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4090 of 2026

Arising Out of PS. Case No.-517 Year-2025 Thana- PURNEA SADAR District- Purnia

Ravi Kumar Bhagat @ Ravi Kumar Son of Sri Shiv Kumar Bhagat @ Shiv Bhagat Resident of Village- Emlipatti Gulabbagh, P.S.- Sadar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-01-2026 Heard Mr. Amit Kumar Anand, learned counsel for the petitioner and Mr. Lalan Kumar, learned APP for the State.

2. The petitioner seeks bail, who is in custody since 15.10.2025 in connection with Special (NDPS) Case No. 281 of 2025/CIS No. 281/2025, arising out of Sadar P.S. Case No. 517 of 2025, F.I.R. dated 15.10.2025 for the offences punishable under Sections 8(c) and 21(b) of the NDPS Act.

3. According to prosecution case, total 47.26 gm. of intoxicant material were recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. From a bare perusal of the FIR, it



appears that altogether 47.26 gm. of intoxicant material has been recovered from the possession of the petitioner. He further submits that there is non-compliance of section 50 of NDPS Act. The recovered contraband is less than commercial quantity, hence, there is no embargo under section 37 of the NDPS Act. He further submits that no incriminating material has been recovered from the conscious possession of the petitioner. He further submits that the police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 15.10.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the petitioner has clean antecedent, recovered contraband is less than commercial quantity and the police has submitted chargesheet against the petitioner, 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 District & Additional Sessions Judge-II-cum-Special Judge, (NDPS Act), Purnea, in connection with Special (NDPS) Case No. 281 of 2025/CIS No. 281/2025, arising out of Sadar P.S. Case No. 517 of 2025, with



the following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the 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.

(Rajesh Kumar Verma, J)

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