

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2480 of 2026

Arising Out of PS. Case No.-159 Year-2025 Thana- Piplawa District- Patna

Raj Kumar Son of Sanjay Paswan Resident of Village- Taregna Dih, P.S.-
Masaurhi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Piplawan P.S. Case No. 159 of 2025 instituted for the offences
under Sections 8(c), 21(c) of the NDPS Act.

3. Prosecution allegation, in short, is that total 256.01
grams of smack has been recovered in this case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is in custody since 11.10.2025 and
has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. Learned
counsel further submits that as per the FIR, the recovery of the



smack like substance has been made from the handle bar of the motorcycle. He further contended that petitioner is not the owner of the motorcycle in question. He further submitted that nothing has been recovered from the conscious possession of the petitioner. There is no compliance of Section 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned A.P.P. submits that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

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