

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7206 of 2026

Arising Out of PS. Case No.-296 Year-2025 Thana- SAHEBPUR KAMAL District-
Begusarai

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Sonu Raj @ Deepak Kumar Son of Chandrashekhar Yadav @ Ram
Chandrashekhar Yadav Resident of Village - Ramchandrapur, Ward No.- 35,
Police Station - Jamalpur, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar Verma, Advocate

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

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

ORAL ORDER

2 10-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with NDPS
Case No. 74 of 2025, arising out of Sahebpur Kamal PS Case
No. 296 of 2025 instituted for the offences under Sections 8(c)
& 21(b) of the NDPS Act and Section 111 of the Bharatiya
Nyaya Sanhita, 2023.

3. Prosecution allegation, in short, is that there is
recovery of 50 grams smack like substance from co-accused,
Raja Kumar along with mobile phones from all accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that petitioner has no concern with the recovered contraband and recovery is made from the possession of other co-accused person. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 10.10.2025 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Other co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 21.01.2026, passed in Cr. Misc. No. 3278 of 2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, recovery below commercial quantity, claim based on parity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with NDPS Case No. 74
of 2025, arising out of Sahebpur Kamal PS Case No. 296 of
2025.

Raj Kishore/-

(Rudra Prakash Mishra, J)

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