

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2826 of 2026

Arising Out of PS. Case No.-245 Year-2025 Thana- JANDAHA District- Vaishali

Abhishek Kumar @ Chintu Singh S/o- Vijay Singh Village- Dih Buchauli @
Dih Bichauli, PS- Mahisaur Jandaha District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jandaha P.S. Case No. 245 of 2025, instituted for the offences punishable under Sections 8, 20(b)(ii)(B) and 29 of the Narcotics Drugs and Psychotropic Substance Act.

3. The prosecution case, in short, is that there is recovery of 430 grams of Ganja and 35 grams of Heroin (Kota) from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case only on the basis of suspicion and to harass the petitioner. He further submits that the quantity of Ganja



recovered is less than the small quantity as per N.D.P.S. Act and, so far as Heroine (Kota) is concerned, the same is also slightly higher than the small quantity but, much less than the commercial quantity and, hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. Nothing incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner has got no concern with the alleged recovery of alleged Heroine (Kota) or the Ganja. The petitioner is in custody since 13.08.2025 and has got no criminal antecedent. It is next submitted that co-accused has already been granted bail by the Co-ordinate Bench of this Court *vide* order dated 05.08.2025 passed in Cr. Misc. No. 48548 of 2025.

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, the recovered contraband being below the commercial quantity, the period of custody undergone by the petitioner. Moreover, co-accused has already been granted bail by the Co-ordinate Bench of this Court *vide* order dated 05.08.2025 passed in Cr. Misc. No. 48548 of 2025, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jandaha P.S. Case No. 245 of 2025.

(Ramesh Chand Malviya, J)

Mayank/-

U		T	
---	--	---	--

