

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3620 of 2026

Arising Out of PS. Case No.-242 Year-2025 Thana- Rangara District- Bhagalpur

Vikash Kumar Singh S/o Sudhir Singh @ Sudhir Kumar Singh R/o vill -
Madrouni, P.S.- Rangra, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2026 Heard Mr. Ajit Kumar Singh, learned counsel for the

petitioner and Mr. Tarun Prasad Mandal, learned APP for the

State.

2. Petitioner seeks bail who is in custody since
01.10.2025 in connection with Rangra P.S. Case No. 242 of
2025 for the offences punishable under Sections 21(c) and
22(c) of the N.D.P.S. Act.

3. The case relates to recovery of 652 Grams of
Brown Sugar.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the
petitioner has not committed any offence as alleged in the F.I.R.



He further submits that from perusal of the F.I.R. it appears that 652 Grams of *Brown Sugar* was recovered from the accused persons and there is non compliance of mandatory provisions of N.D.P.S. Act and co-accused person has been granted bail by the learned Court below itself.

5. Learned Additional Public Prosecutor, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the F.I.R. it appears that altogether 652 grams of Brown Sugar was recovered from the accused persons and the recovered contraband is more than the commercial quantity, so there is embargo under Section 37 of the N.D.P.S. Act.

6. The grant of bail in NDPS cases where the recovery of commercial quantity of narcotic is alleged is circumscribed under Narcotic Drugs and Psychotropic Substance Act, 1985, Section 37 which says that before grant of bail, the Court must have reason to believe that petitioner has not committed the offence and in the event of release he would not commit similar offence.

7. The issue was considered by the Hon'ble Supreme Court in the case of **State of Kerala and Ors. Vs. Rajesh and Ors.** reported in (2020) 12 SCC, 122 as well as in the case of



Narcotic Control Bureau Vs. Mohit Aggarwal reported in **AIR 2022 SC 3444** and **Union of India vs. Ajay Kumar Singh @ Pappu** reported in **2023 SCC OnLine SC 3456** dated 28.03.2023.

8. The recovery of huge quantity of *Brown Sugar* recovered would not justify that the petitioner had no knowledge of the narcotic nor there is any material to substantiate that the petitioner would not commit such offence in the event of release.

9. Hence, I am not inclined to enlarge the petitioner on bail in connection with Rangra P.S. Case No. 242 of 2025, pending in the Court of learned Principal Sessions Judge, Bhagalpur.

10. Prayer is refused.

(Rajesh Kumar Verma, J)

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