

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4937 of 2026

Arising Out of PS. Case No.-452 Year-2025 Thana- KOTWALI District- Patna

Bablu Kumar Son of Shravan Prasad Gupta Resident of village - Rosamba
(Sasamba), Police Station - Shakurabad, District – Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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

ORAL ORDER

2 03-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kotwali
P.S. Case No. 452 of 2025, instituted for the offences punishable
under Sections 8, 20(b)(ii)(B) of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of total 8.2 Kg of Ganja has been recovered from the
possession of petitioner along with other co-accused persons. It
is further alleged that 6.200 Kg Bhaang has also been recovered
from the *thela*.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submitted that the petitioner has been arrested only on the basis of suspicion. The petitioner has got no concern either with the alleged recovery of Ganja or Bhaang. 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 06.08.2025 and has got no criminal antecedent. There is no compliance of Sections 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.

6. Considering the aforesaid facts and circumstances of the case, the recovered contraband being below the commercial quantity 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kotwali P.S. Case No. 452 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the prosecution will have liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Rajorshi/-

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