

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7594 of 2026

Arising Out of PS. Case No.-142 Year-2025 Thana- AURAI District- Muzaffarpur

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Akash Kumar Son of Ramjanam Ray @ Ram Janam Ray @ Ram Janam Kumar @ Ramjanam Kumar @ Ram Narayan Ray Resident of Village - Panapur, P.S.- Aurai, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sagar Kumar

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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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 NDPS Case No. 159 of 2025 arising out of Aurai P.S. Case No. 142 of 2025 instituted for the offences under Sections 8, 20(B)ii C of the N.D.P.S. Act and Section 317(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution allegation, in short, is on receipt of secret information, police conducted a raid and recovered 63.158 kg ganja from the spot; on seeing police, several persons fled and two accused were apprehended, including the petitioner, who disclosed the names of others.

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 02.07.2025 and has got two criminal antecedents. Charge-sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. Learned counsel further submitted that petitioner has no concern with the alleged recovery. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Other co-accused has been granted bail by this Court vide order dated 21.01.2026, passed in Cr. Misc. No. 2431 of 2026.

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, taking into account the fact that petitioner was arrested on the spot 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*.



8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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