

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10100 of 2026

Arising Out of PS. Case No.-4 Year-2024 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Bhagalpur

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Sujeet Kumar S/o Vishwanath Rai R/o vill - Banstal Chouraha, P.S.-
Khusrupur, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Union of India through N.C.B. patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Adv. Mr.Ashok Kumar
For the Opposite Party/s :		Mr.Ram Naresh Ray
For the UOI	:	Mrs. Shail Kumari.

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 20-07-2026

Heard the parties.

2. The petitioner seeks bail in connection with
NDPS Case No. 28 of 2024 arising out of NCB Case No. 04 of
2024 registered for the offence under Sections 20(B)(ii)(c), 25,
29 R/W and 8(c) of the NDPS Act.

3. As per the prosecution case, the recovery is of
243 Kg of Ganja.

4. The petitioner is in custody since 9.3.2024.

5. Learned senior counsel for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that the only allegation levelled
against the petitioner is that he was travelling in the pilot car. He



next submits that the petitioner was not caught on the spot and he named in the confessional statement of the co-accused and he also submits that only one witnesses has been examined in the trial. The petitioner has no criminal antecedent.

6. Learned counsel for the State and the learned counsel for the UOI/NCB have opposed the application of the petitioner.

7. Considering the delay in the trial, the period of custody of the petitioner, the petitioner was not caught on the spot and also considering the judgment of the Hon'ble Supreme Court in the case of *State of Haryana Vs. Samarth Kumar reported in 2022 SCC OnLine SC 2087*, this application is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned concerned Court below in connection with NDPS Case no. 28 of 2024 arising out of NCB Case No. 04 of 2024.

9. As a condition of this order, the petitioner, after being released on bail, is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on each and every date fixed by the trial Court. Non-compliance



of the condition will result in cancellation of the bail bonds of the petitioner.

10. As the petitioner claims to have clean antecedent, the Court below, before accepting the bail bonds of the petitioner is directed to verify the antecedent of the petitioner. If the petitioner is found to be involved in any other case then the bail bonds of the petitioner shall not be accepted.

11. The NCB is directed to produce the witnesses on the dates fixed in the trial failing which the regional head of NCB will be directed appear personally in this Court in future.

(Sandeep Kumar, J)

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