

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10921 of 2026**

Arising Out of PS. Case No.-327 Year-2025 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Gaurav Kumar @ Deva Son of Sri Dilip Paswan Resident of Village - Mohan Aighu, P.S. - Muffasil, Dist. - Begusarai.
 2. Golu Kumar Son of Sri Dilip Paswan Resident of Village - Mohan Aighu, P.S. - Muffasil, Dist. - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
Mr. Hemant Ray, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

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

ORAL ORDER

2 10-03-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with NDPS
Case No. 79 of 2025 arising out of Muffasil P.S. Case No. 327
of 2025 instituted for the offences under Sections 8(c), 21(b) of
the N.D.P.S. Act.

3. Prosecution case, in short, is that total 10.08 grams
of smack like substance has been recovered in this case.

4. Learned counsel for the petitioners submitted that
the petitioners have falsely been implicated in the present case.
Petitioners are in custody since 23.10.2025 and have no criminal



antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. No incriminating material has been recovered from the conscious possession of the petitioners. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Section 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 petitioners.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with NDPS Case No. 79 of 2025 arising out of Muffasil P.S. Case No. 327 of 2025, subject to the following conditions:

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

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on



two consecutive dates, the Trial Court will have liberty to cancel
the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Alok Verma/-

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