

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10148 of 2026

Arising Out of PS. Case No.-202 Year-2025 Thana- Kharagpur District- Munger

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Raj Kumar Son of Ajay Pandit R/o Mohalla - Madadevpur P.S - Haveli
Kharagpur, Dist. - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Saurabh, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-03-2026 Heard Mr. Shashi Saurabh, learned counsel for the

petitioner and Mr. Nirmal Kumar Sinha, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
08.09.2025 in connection with Kharagpur P.S. Case No. 202 of
2025, F.I.R. dated 08.09.2025 for the offences punishable under
Sections 8(c), 21(b) of the N.D.P.S. Act and Section 7 of the
Lotteries Act.

3. According to prosecution case, recovery is of 28
gms. of smack.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The allegation as alleged in the



FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Altogether, 101 puriya of smack was recovered from possession of other co-accused persons. It appears from the seizure list that nothing incriminating article was recovered from possession of this petitioner, only one mobile phone was recovered from possession of the petitioner. Similarly situated co-accused person, namely, Anand Saw has been granted regular bail by this Court vide order dated 09.01.2026 passed in Cr. Misc. No. 3226 of 2026, co-accused person, namely, Abhishek Kumar, has been granted regular bail by this Court vide order dated 24.12.2025 passed in Cr. Misc. No. 3570 of 2026 and co-accused person, namely, Mohit Anand has been granted regular bail by a coordinate Bench of this Hon'ble Court vide order dated 09.01.2026 passed in Cr. Misc. No. 6167 of 2026. He further submits that the Police after investigation submitted the charge-sheet against the petitioner and the petitioner is in judicial custody since 08.09.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and also the fact that the petitioner has clean antecedent, no



incriminating article has been recovered from possession of this petitioner and similarly situated co-accused persons have been granted bail by this Court and by another coordinate Bench of this Hon'ble Court, 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 A.C.J.M., 1, Munger, in connection with Kharagpur P.S. Case No. 202 of 2025, with the following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

Ranjeet/-

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