

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11600 of 2026

Arising Out of PS. Case No.-38 Year-2025 Thana- UDWANTNAGAR District- Bhojpur

Deepak Kumar Son of Uma Shankar Mahto R/o Village - Masrah, P.S. -
Udwanthnagar, Dist. - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr.Abhay Kumar Roy, A.P.P.

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

ORAL ORDER

2 13-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Udwant Nagar (Gajrajganj) P.S. Case No. 38 of 2025 instituted
for the offences punishable under Sections 20(b)(ii)(c), 25, 27(a)
and 29 of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 30.500 Kg ganja from a car.

4. Learned counsel for the petitioner submits that the
Anticipatory Bail of the petitioner was rejected by this Bench
vide order dated 04.04.2025 passed in Criminal Miscellaneous
No. 21960 of 2025. No incriminating material has been
recovered from the conscious possession of the petitioner.
Learned counsel for the petitioner further submits that the



petitioner has got no concern with the alleged recovery of ganja. The petitioner was not arrested on the spot. The name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused person and the same has got no evidentiary value. The petitioner is in custody since 30.06.2025 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. Learned APP submits that the petitioner being party to the criminal conspiracy, as also the recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the NDPS Act.

6. Considering the aforesaid facts and circumstances of the case, recovery above the commercial quantity and the petitioner being party to the criminal conspiracy, this Court is not inclined to grant bail to the petitioner.

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

(Rudra Prakash Mishra, J)

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