

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10942 of 2026

Arising Out of PS. Case No.-197 Year-2025 Thana- SARE District- Nalanda

Ajeet Kumar Son of Umesh Prasad @ Umesh Yadav R/o - Konand, P.S -
Asthanwan, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha, Advocate

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

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

ORAL ORDER

2 10-03-2026 At the outset, learned counsel for the petitioner seeks
permission of this Court to withdraw the I.A. No. 01 of 2026.

2. Permission is accorded.

3. Accordingly, I.A. No. 01 of 2026 is dismissed as
withdrawn.

4. Heard learned counsel for the petitioner and learned
APP for the State.

5. The petitioner seeks bail in connection with Sare
P.S. Case No. 197 of 2025, instituted for the offences punishable
under Sections 8(c) and 21(b) of the NDPS Act.

6. Prosecution allegation, in short, is that there is
recovery of 22 gram brown sugar from the possession of the
petitioner.



7. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner has got no concern with the alleged recovery of brown sugar. It is further submitted that the petitioner was arrested only on the basis of suspicion. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 26.12.2025 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

8. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

9. Considering the aforesaid facts and circumstances of the case, the recovered contraband being below the commercial quantity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

10. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sare P.S. Case No.



197 of 2025, subject to the following conditions:

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

(II) The petitioner 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 petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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