

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14407 of 2026

Arising Out of PS. Case No.-195 Year-2025 Thana- RUPAULI District- Purnia

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1. Jivan Kumar @ Jeevan Kumar Son of Ravindra Pd. Yadav @ Ravindra Prasad Yadav Resident of Village - Rupauli, P.S.- Rupauli, District - Purnea.
 2. Nitish Kumar Son of Bablu Kumar Yadav @ Bablu Kumar @ Bablu Kumar Yadav Resident of Village - Rupauli, P.S.- Rupauli, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 12-03-2026 Heard learned Counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Special (NDPS) Case No. 298 of 2025 (arising out of Rupauli P.S. Case No. 195 of 2025) registered for the offences punishable u/s 8(c), 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, 17.86 gm of smack was recovered from the possession of the Jivan Kumar (petitioner no. 1) and 8.43 gm of smack was recovered from the possession of Nitish Kumar (petitioner no. 2).

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that the mandatory provisions of NDPS Act regarding search and seizure have not



been followed and the contraband recovered from the respective possessions of the petitioners are intermediary quantities. It is also submitted that the petitioners have clean criminal antecedent and are in custody since 30.10.2025. It is lastly submitted that the charge sheet has been submitted and there is no allegation of tampering.

5. Learned APP for the state has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid submissions of the parties and taking into account the facts and circumstances of the case, let the petitioners above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Purnia, in connection with Special (NDPS) Case No. 298 of 2025 (arising out of Rupauli P.S. Case No. 195 of 2025).

7. The application stands allowed.

(Praveen Kumar, J)

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