

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15021 of 2026

Arising Out of PS. Case No.-146 Year-2025 Thana- KHUTAUNA District- Madhubani

Lalu Kumar Yadav Son of Asarfi Yadav R/o Village - Bhelha, Ward No. 1,
P.S. - Lalmaniya, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagandeo Yadav, Advocate
	:	Mr. Ravi Prakash, Advocate
For the Opposite Party/s	:	Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-03-2026 Heard Mr. Gagandeo Yadav, learned counsel for the petitioner and Ms. Suman Kumari Singh, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 13.09.2025 in connection with Khutauna P.S. Case No. 146 of 2025, F.I.R. dated 12.09.2025 registered for the offence punishable under Section 8(c), 21, 22 of N.D.P.S. Act.

3. Recovery is of 41.40 Gm of Brown Sugar.

4. Learned counsel appearing for the petitioner submits that it appears from the FIR as well as seizure list that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from possession of co-accused person, namely, Rajiv Kumar Sah and petitioner has



been made accused in the present case merely on the ground that he was associated with co-accused person and recovered contraband is less than the commercial quantity. Hence, there is no embargo under Section 37 of the N.D.P.S. Act for grant of bail to the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 13.09.2025.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that altogether 41.40 Gm of Brown Sugar was recovered from possession of co-accused person and the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts and the recovered contraband is less than the commercial quantity, 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 learned C.J.M., Madhubani in connection with Khutauna P.S. Case No. 146 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 his/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)

Nitesh/-

U		T	
---	--	---	--

