

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16381 of 2026

Arising Out of PS. Case No.-505 Year-2024 Thana- BIDUPUR District- Vaishali

Abhimanyu Kumar @ Body Guard @ Sonu @ Monu S/o Ajay Rai @ Late
Anjay Ray @ Anjay Ray R/o Village - Jadua Chiknauta, P.S - Hajipur Nagar,
District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate Ms. Harsha Shashwat, Advocate
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha, APP

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

ORAL ORDER

2 13-03-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Bidupur PS Case No. 505 of 2024 instituted for the offences
under Sections 20 & 22 of the NDPS Act and Sections 25(1-B)a
& 26 of the Arms Act.

3. Prosecution allegation, in short, is that there is
recovery of one country made pistol along with two live
cartridges as also 13.15 Kg ganja from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner further submits that petitioner has no concern either with the recovered arms or with the recovered contraband. 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 30.08.2024 and has got five criminal antecedents. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. There is no compliance of Section 103 of the BNSS, 2023.

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

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

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bidupur PS Case No. 505 of 2024, 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)

Raj Kishore/-

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