

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16150 of 2026

Arising Out of PS. Case No.-462 Year-2025 Thana- KHAJANCHI HAT District- Purnia

Ravi Kumar Thakur @ Ravi Thakur S/O Vinod Kumar Thakur @ Vinod Thakur R/O Bibiganj, Kheruganj, P.S- Sadar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-03-2026 Heard Mr. Dheeraj Kumar, learned counsel for the petitioner and Mr. Raj Ballabh Singh, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 06.01.2026, in connection with Special (NDPS) Case No. 297 of 2025 arising out of K. Hat P.S. Case No. 462 of 2025, F.I.R. dated 28.10.2025 registered for the offences punishable under Sections 8(c), 21(b), 29 of the NDPS Act.

3. Recovery is of 18.55 Grams of *Smack*.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. as well as seizure list that nothing was recovered from the conscious possession of the petitioner rather recovery has been made from co-accused person namely Hemant Kumar Yadav who revealed that he has purchased the same from the petitioner



and apart from aforesaid recovered contraband is total 18.55 grams of Smack including packets, so the recovered contraband is less than the commercial quantity and hence there is no embargo under Section 37 of the N.D.P.S. Act to enlarge the petitioner on bail and apart from aforesaid nothing has been recovered from the conscious possession of the petitioner and petitioner has been made accused on the basis of disclosure made by apprehended co-accused person. The petitioner is in custody since 06.01.2026.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries six more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case and the fact that the recovered contraband is less than the commercial quantity and recovery has been made from co-accused persons and petitioner has been made accused merely on the basis of disclosure made by apprehended co-accused person, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Special Judge (NDPS) Act, Purnea in connection with Special (NDPS) Case No. 297 of 2025 arising out of K. Hat P.S. Case No. 462 of 2025, with the following conditions :-

(1) 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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.

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(Rajesh Kumar Verma, J)

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