

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17266 of 2026

Arising Out of PS. Case No.-164 Year-2025 Thana- GANGABRIDGE District- Vaishali

Chandan Kumar S/o- Nagendra Rai Village- Saifpur Ward no- 43 PS-
Gangabridge District- Vaishali Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 23-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Ganga Bridge P.S. Case No.164 of 2025 registered for the offence punishable under Sections 8(c), 21(c) & 29 of the Narcotic Drugs and Psychotropic Substance (N.D.P.S.) Act.

3. The case of the prosecution, in short, is that from the possession of this petitioner altogether 86 gm of brown sugar was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that from perusal of the FIR itself it is clear that it has been filed by Labour Enforcement Officer (in short 'L.E.O.'). Learned counsel for the petitioner has submitted that L.E.O. has got no jurisdiction to file case under NDPS Act. It has further been submitted that nothing has been recovered



from the possession of this petitioner. Learned counsel for the petitioner has further submitted that the witnesses of the seizure list are police personnel and police has not complied Section 105 of the BNSS while making seizure. Learned counsel for the petitioner has further submitted that the manner in which this case has been filed, it shows that there is serious flaw in the prosecution. Learned counsel for the petitioner has further submitted that the petitioner is having no criminal antecedent and he is in judicial custody since 09.10.2025.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned Sessions Judge, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No.164 of 2025.

(Ashok Kumar Pandey, J)

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