

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18639 of 2026

Arising Out of PS. Case No.-280 Year-2025 Thana- BIHPUR District- Bhagalpur

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Rajesh Kumar @ Tulsi Kumar @ Rajrsh Kumar S/O Girdhari Kumar @
Girdhar Kumar R/o Village- Birbanna, Ward no. 09, P.S.- Bhawanipur,
District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 13-05-2026 Heard the parties.

2. The petitioner is in custody in connection with Bihpur P.S. Case No. 280/2025 for the offence punishable under sections 8(c), 21(b), 25 and 29 of NDPS, Act of the Indian Penal Code.

3. As per the prosecution story, the informant alleged that during patrolling duty, a Scorpio was intercepted and upon search, 198.54 gram brown sugar recovered/seized from the accused persons. This led to the FIR.

4. Learned counsel for the petitioner submits that the recovery/seizure is from Samir Kumar, he was a driver and only mobile phone has been recovered from his possession. The petitioner has remained in custody since 07.12.2025, the



recovered quantity is below the commercial one and the last submission is that Shivam Kumar has been extended by a Co-ordinate Bench in Cr. Misc. No. 22023 of 2026 on 08.04.2026.

5. Learned APP, Mr. Bharat Bhushan opposes the prayer for bail submitting that he was also part and parcel of the said recovery.

6. Taking into account the submissions of the parties, as recorded above, coupled with the fact that similar situate, Shivam Kumar has been granted relief and the seized quantity is below commercial one, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Principal Sessions Judge, Bhagalpur in connection with Bihpur P.S. Case No. 280/2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for one year to mark his attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay
Singh/Sanny Patel

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