

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17780 of 2026

Arising Out of PS. Case No.-16 Year-2026 Thana- BAHADURPUR District- Patna

Vakil Ray @ Vikky Ray Son of Machhu Ray R/o - Rampur Shyamchand, P.S.
- Raghopur, Dist. - Vaishali, Present R/o - Vaishali, Golambar, P.S. -
Kadamkuan, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-03-2026 Heard Mr.Ghanshyam Tiwary, learned counsel for
the petitioner and Mr.Murli Dhar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
15.01.2026 in connection with Bahadurpur P.S. Case No. 16
of 2026, F.I.R. dated 14.01.2026 registered for the offence
punishable under Sections 8/20(B)II(B) of N.D.P.S.Act.

3. The prosecution case, in brief, is that on
14.01.2026 the petitioner Vakil Ray along with co-accused
Sonu Kumar near Bakri Mandi under Bahadurpur were
apprehended by police while purchasing and selling ganja.
Upon search, 685 grams of ganja, Rs. 1,350/- in cash and one
mobile phone were recovered from the petitioner Vakil Ray
and 357 grams of ganja and Rs 2,900/- in cash were recovered



from possession of co-accused person, namely, Sonu Kumar, totaling 1042 grams of ganja and Rs.4,250/-.

4. Learned counsel appearing for the petitioner submits that it appears from the FIR that 44 puriya measuring 685 grams of ganja, Rs. 1,350/- in cash and one mobile phone were recovered from the petitioner Vakil Ray and 357 grams of ganja and Rs 2,900/- in cash were recovered from possession of co-accused person, namely, Sonu Kumar. Learned counsel for the petitioner submits that the 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, apart from that, the seizure list witnesses are police personnel. There is non-compliance of Sections 103 and 105 of BNSS, 2023 and co-accused person, namely, Sonu Kumar has been granted bail by the learned court below itself and the petitioner is in custody since 15.01.2026.

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 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, 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 District and Sessions Judge-cum-Special Judge, NDPS Act, Patna in connection with Bahadurpur P.S. Case No. 16 of 2026, 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)

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