

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20913 of 2026

Arising Out of PS. Case No.-161 Year-2025 Thana- FULKAHA District- Araria

Ashish Kumar @ Bablu Yadav @ Babul Yadav Son of Bhupendra Kumar
mandal Resident of Village - Ward no. 7 Nawabganj, Police Station - Fulka,
District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 02-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8, 20 (b) (ii) (c) of the NDPS Act.

3. The prosecution case, in brief, is that altogether 85 kgs of ‘ganja’ was recovered from the possession of one Md. Sirazuddin. It is further alleged that, upon being questioned, Md. Sirazuddin disclosed that the said contraband belonged to the petitioner and was to be delivered to Raja Paswan and Vivek Paswan.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that



nothing has been recovered from the conscious possession of the petitioner and that his name has surfaced only on the basis of the confessional statement of co-accused Md. Sirazuddin. It is further submitted that, in view of the judgment of the Hon'ble Supreme Court in **Toofan Singh v. State of Tamil Nadu**, it is well settled that a confessional statement recorded in N.D.P.S. cases is not admissible in evidence. It is also submitted that the petitioner is in custody since 22.01.2026, has criminal antecedents of three cases, and that a similarly situated co-accused has already been granted bail by this Hon'ble Court.

5. Learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Fulkaha P.S. Case No. 161 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge cum Special Judge, NDPS Act, Araria.

(Ashok Kumar Pandey, J)

Jagdish/-

U		T	
---	--	---	--

