

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22594 of 2026

Arising Out of PS. Case No.-51 Year-2026 Thana- RUPASPUR District- Patna

Rajesh Bind Son of Sri Bind @ Mahendra Vind, R/o Pinjri, P.S.- Barbigha,
Dist.- Shekhpura, A/p Patliputra Jhoparpatti Teshlal Verma Nagar, P.S.-
Rupaspur, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd Singh, Advocate
For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 15-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Rupaspur P.S. Case No.51 of 2026 registered for the alleged offences under Sections 8(c)/21(b) & 8/20(b)(ii) (B) of NDPS Act.

03. As per prosecution case, police received information about sale of psychotropic substance, police reached at the identified place and this petitioner is alleged to have started running away on seeing the police party. He was apprehended after chase. From a black plastic bag being carried by the petitioner, recovery of 100 sachets of smack and 22 sachets of ganja like substance was made. On weighing, the weight of smack came to be 21 gms and the ganja like substance



was found to be 44 gms without wrapper.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner and the recovery is planted. There is violation of mandatory provisions of Section 103 BNSS regarding search and seizure. There is non-compliance of Section 50 of NDPS Act as no Gazetted Officer was joined during search and seizure. No videography or photography was done during search and seizure. Learned counsel further submits that the recovered smack is much less than commercial quantity and recovered ganja is much less than small quantity. The petitioner is in custody since 24.01.2026 and charge sheet has been submitted. The petitioner is having clean antecedent.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the quantity of contraband recovered and further considering the period of custody of the custody, his clean antecedent and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs.



10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge (N.D.P.S.), Patna/concerned Court in connection with Rupaspur P.S. Case No. 51 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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