

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24387 of 2026

Arising Out of PS. Case No.-39 Year-2025 Thana- HULASGANJ District- Jehanabad

Ram Udit Yadav son of Late Ramdeo Yadav Resident of village- Gidarpur Ps-
Hulasganj, Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-04-2026 Heard Mr.Uday Kumar, learned counsel for the

petitioner and Mr.Sanjay Kumar Tiwary, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
08.02.2026 in connection with NDPS Case No. 25 of 2025
arising out of Hulasganj P.S.Case No.39 of 2025, F.I.R. dated
09.02.2025 registered for the offence punishable under
Sections Sections 20,22 of N.D.P.S.Act.

3. There is allegation of recovery of about 10 green
plants of Ganja about 12 Kg from the Bari of the petitioner
where one green plant of Ganja about 11.3 Kg was recovered
from the door of co-accused person, namely, Bechan Yadav
@ Ram Bachan Yadav.



4. Learned counsel appearing for the petitioner submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. It appears from the FIR that altogether 19 plants of Ganja was recovered from the place of occurrence and 12 Kg of Ganja has been recovered from the Bari of the petitioner. 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 there is non-compliance of Sections 103 and 105 of BNSS, 2023 and similarly situated co-accused person, namely, Fekan Yadav has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 12.01.2026 passed in Cr. Misc. No.87502 of 2025 and the petitioner is in custody since 08.02.2026.

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, recovered contraband is less than the commercial quantity and similarly situated co-accused person, namely, Fekan Yadav has been granted bail by a Coordinate Bench of this Hon'ble Court, 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 Sessions Judge, Jehanabad or its Successor Court in connection with NDPS Case No. 25 of 2025 arising out of Hulasganj P.S. Case No.39 of 2025, 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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