

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21984 of 2026

Arising Out of PS. Case No.-364 Year-2025 Thana- GOPALPUR District- Patna

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Ajit Kumar Gupta S/o Sri Bajrangi Saw R/o Vill- Burmidih, PS- Balidih,
Dist- Bokaro Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 17-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Gopalpur P.S. Case No. 364 of 2025 registered for the offence
punishable under Sections 8, 17(c), 18(c), 25, 29, 31, 61 of the
N.D.P.S. Act

3. The case of the prosecution in short is that four
persons were apprehended and different amounts of contraband
were recovered from them. From the possession of this petitioner,
a total of 1.442 kg of *opium* was recovered.

4. Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner has submitted that nothing has been recovered from the possession of this petitioner. The police have not followed Section 105 of the BNSS while making the seizure and the witnesses of the seizure are police personnel. It has also been submitted that the alleged recovery is though more than small quantity but is much less than commercial quantity. He further submits that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 29.08.2025. It has further been submitted that similarly situated other co-accused person has already been granted bail by this court vide Cr. Misc. No. 85076 of 2025. The case of this petitioner stands on similar footing.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge/ Special Judge (N.D.P.S.), Patna in connection with Gopalpur P.S.



Case No. 364 of 2025.

(Ashok Kumar Pandey, J)

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