

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23367 of 2026

Arising Out of PS. Case No.-315 Year-2025 Thana- NAUGACHIA District- Bhagalpur

Prince Kumar @ Prince Kumar Sah S/o Nityanand Sah, R/o Village- Sahu
Tola, Bhawanipur, P.S.- Rangra, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

6 15-07-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Naugachia P.S. Case No. 315 of 2025 dated 29.09.2025, registered for the offences punishable under Sections 8(c), 21(c), 25 and 29 of the NDPS Act.

3. As per the prosecution case, the informant received confidential information regarding delivery of a consignment of brown sugar to some smack trader. A search was made at the identified place and Police found two persons near a motorcycle talking to each other in suspicious condition. On seeing the Police vehicle, they tried to flee away but they were apprehended. From search of co-accused Alam Sheikh, recovery of 318.81 grams of brown sugar like substance was made. The petitioner is the person who was apprehended along with the co-



accused talking with each other. Subsequently, Police came to know about the fact that petitioner was sent to receive the consignment by his brother Raj Kumar @ Raja.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The petitioner and his mother run a tea stall near the place of recovery and due to some dispute, local Police has dragged the petitioner in the present case. Learned counsel further submits that even in the prosecution story nothing incriminating has been recovered from the conscious possession of the petitioner at the time of raid, search and seizure, rather the recovery of 318.81 grams of brown sugar has been shown from the co-accused Alam Sheikh and the petitioner was merely standing near the motorcycle of the said accused. So far as the recovery of one motorcycle bearing Registration No. BR11AT3751 is concerned, the same does not belong to the petitioner. At the time of raid, search and seizure, the petitioner was standing in front of his stall and had been serving tea to co-accused who came to his tea shop on motorcycle. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since



30.09.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner and submits that petitioner went to the spot to receive the consignment of brown sugar and recovery of brown sugar is of commercial quantity.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that recovery has not been shown from the conscious possession of the petitioner and also considering petitioner's clean antecedent, his period of custody and submission of chargesheet, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-I, Bhagalpur / concerned Court, in connection with **Naugachia P.S. Case No. 315 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other 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, if so required by the learned trial Court.

(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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