

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25819 of 2026

Arising Out of PS. Case No.-356 Year-2024 Thana- LADANIA District- Madhubani

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Bikau Yadav S/O Late Makhan Yadav R/o Village Bhagwatipur, P.S-
Ladaniya, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-05-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Ladaniya P.S. Case No. 356 of 2024, instituted for the offences
under Sections 20, 22 and 23 of the NDPS Act.

3. This is the second attempt of the petitioner for bail.
The petitioner has renewed his prayer for grant of regular bail
which was earlier rejected by this Court vide order dated
10.07.2025 passed in Cr. Misc. No. 42104 of 2025 taking into
consideration the recovery of contraband beyond the
commercial quantity coupled with embargo under Section 37 of
the NDPS Act.

4. Learned counsel for the petitioner submits that the
petitioner is languishing in judicial custody since 24.10.2024
without any rhymes or reason and has got no criminal



antecedent. Learned counsel also submits that charge-sheet has been submitted in this case without FSL report. Charge has already been framed against the petitioner on 22.07.2025 but out of four charge-sheeted witnesses, no any witness has been examined in this case.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is next submitted that the recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the NDPS Act. It is further submitted that the Hon'ble Apex Court has decided the case of *Arif Khan v. State (NCT Delhi) 2023*, that charge-sheet is valid without FSL and no automatic default bail is permitted.

6. There is no new ground to consider the bail petition of the petitioner. It appears that the trial is going on.

7. In view of the above, the prayer for bail of the petitioner is again rejected with a direction to the court below to expedite the trial and conclude the same.

(Rudra Prakash Mishra, J)

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