

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25717 of 2026

Arising Out of PS. Case No.-3 Year-2026 Thana- GAURICHAK District- Patna

Subham Kumar, aged about 24 years, S/o Akalu Paswan, R/o Mohl.- Sona
Goalpur, P.S.- Gopalpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 20-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for
the offence punishable under Sections 8(c) and 21(b) of the
NDPS Act.

3. As per allegation in the FIR, total 31.56 grams of
smack from the possession of the accused persons.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner has got clean antecedent as stated in
para-3 of the petition and he is in custody since 06.01.2026 and
similarly situated co-accused has already been granted bail by a
Co-ordinate Bench of this Court passed in Cr. Misc. No. 21842
of 2026.

5. Learned APP for the State opposes the prayer for
bail of the petitioner.



6. In view of the aforesaid submissions made by learned counsel for the petitioner as also the fact that similarly situated co-accused has already been granted bail by Co-ordinate Bench of this Court, so let the above named petitioner 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/Special Judge, (NDPS), Patna in connection with Gaurichak P.S. Case No.03 of 2026 with following conditions:-

(i) The petitioner shall mark his attendance at Gaurichak Police Station on the first and third Sunday of each month and in the event of default, the bail bonds of the petitioner shall be liable to be cancelled.

(ii) At the time of acceptance of the bail bonds, the Trial Court shall verify the antecedents of the petitioner and the bail bonds shall be accepted only upon confirmation that the petitioner has no criminal antecedent. However, such verification shall not be used as a ground to unnecessarily delay acceptance of the bail bonds.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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