

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26395 of 2026

Arising Out of PS. Case No.-430 Year-2025 Thana- AGAMKUAN District- Patna

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Brajesh Kumar Son of Late Shiv Kumar Prasad Resident of Kathal Tola,
Shosarai, P.S.- Shosarai, District- Nalanda at present residing at C/O- Suman
Devi, Tekari Road, near Hanuman Mandir, Mehendru, P.S.- Sultanganj,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shakil Ahmad Khan, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 21, 22(a)
and 22(b) of the N.D.P.S. Act.

3. The case of the prosecution, in short, is that from
the possession of one co-accused Mundan Kumar @ Chandan
Kumar, altogether 1389 mg. of Buprenorphine Hydrochloride
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. Nothing has been recovered from his possession. His name has surfaced in the confessional statement of co-accused Mundan Kumar. He has no concern with the alleged recovery. It has further been submitted that co-accused Mundan Kumar has already been granted bail by learned co-ordinate Bench of this Court vide Cr. Misc.No. 64586 of 2025. Moreover, petitioner is languishing in judicial custody since 30.01.2026.

5. Learned APP appearing for the State has vehemently opposed the application for bail and has submitted that petitioner is having criminal antecedent of four cases out of which three are of similar nature.

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 Court of Sessions Judge/Special Judge (NDPS), Patna in connection with Agamkuan P.S. Case No. 430 of 2025 **with the following conditions:-**

(i) The petitioner shall cooperate in the trial and shall remain physically present on each and every date in



the learned trial Court.

**(ii) He shall not indulge himself in similar nature
of offences in future.**

(Ashok Kumar Pandey, J)

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