

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27214 of 2026

Arising Out of PS. Case No.-82 Year-2026 Thana- NADI P.S. District- Patna

Piyush Kumar S/O Umesh Kumar (Sudhanshu) R/O Village - Kachidargah,
PS - Nadi Thana, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-04-2026 Heard Mr. Rakesh Kumar Singh, learned counsel for
the petitioner and Mr. Anil Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioners seek bail, who are in custody since
03.03.2026 in connection with Nadi (Fatuha) P.S. Case No. 82
of 2026, for the offences punishable under Sections 8, 20(b)(ii)
(B) of NDPS Act and Section-30(a) of Bihar Prohibition and
Excise Act.

3. According to prosecution case, the police
apprehended six persons including the petitioner and on search,
Ganja in small packets and one bottle of liquor were recovered.
It is also alleged that from the nearby shop of co-accused,
Kamlesh Rai, 102 puriyas weighing 2.193 kg of Ganja were
recovered.



4. Learned counsel for the petitioner submits that the petitioner is a man of clean antecedent. From perusal of the FIR, it appears that six persons including the petitioner, engaged in packing Ganja in small packets, were arrested and they disclosed that the Ganja belongs to the co-accused Kamlesh Rai. Learned counsel for the petitioner further submits that there is no compliance of the provisions of NDPS Act. Apart from that, the recovered contraband is not in commercial quantity and does not come under the ambit of Section-37 of the NDPS Act. Altogether 2.193 kgs of Ganja and one bottle of illicit liquor is said to have been recovered from the place of occurrence.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and submits that 2.193 kgs. of Ganja and one bottle of liquor has been recovered in the case.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail **after filing of charge sheet** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge/Special Judge (NDPS), Patna in connection with Nadi (Fatuha) P.S. Case No. 82 of 2026, with the following conditions:



i. The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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