

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28144 of 2026

Arising Out of PS. Case No.-52 Year-2026 Thana- BUDDHACOLONY District- Patna

Deepak Kumar Son of Dinesh Mandal @ Dinesh Shaw Resident of Lodipur,
Vidyapath Marg, China Kothi, P.S.- Buddha Colony, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 04-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with SPL (N.D.P.S.) Case No. 102 of 2026 arising out of Buddha Colony P.S. Case No. 52 of 2026 registered for the offence punishable under Sections 8(c), 21(b) of the N.D.P.S. Act.

3. The case of the prosecution, in short, is that from the possession of the petitioner, altogether 44.28 grams of *smack* were 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. He also submits that nothing has been recovered from the



possession of the petitioner. The witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. He further submits that the alleged recovery of contraband is though more than small quantity but is much less than commercial quantity. Moreover, the petitioner is languishing in judicial custody since 28.01.2026.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of six cases out of which three cases are of similar nature.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail at this stage, however, he may renew his prayer for bail after six months.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

(Ashok Kumar Pandey, J)

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