

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29724 of 2026

Arising Out of PS. Case No.-65 Year-2025 Thana- KHODAWANDPUR District- Begusarai

Rakesh Kumar S/o Shiv Sagar Singh R/o vill- Chak Chithaur Ward No 2, Ps-
Nayagaon, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 22-06-2026 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 Section 61(2) of B.N.S. and Sections 8, 20(b)(ii)(c) of the N.D.P.S. Act.

3. The case of the prosecution, in short is that from a car, altogether 155.400 Kgs. of ganja like contraband was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner has submitted that petitioner is merely a driver. Three persons were riding in that car and one is Pramod Yadav. Nothing has been recovered from his possession. From perusal



of the F.I.R., it is clear that Pramod Yadav has admitted that this ganja belongs to him but he has further stated that he has disclosed the owner and driver of the vehicle that the contraband is being carried in the said car and for that he has given them huge amount. Learned counsel for the petitioner has submitted that petitioner is merely a driver and the statement of the co-accused that he has disclosed all the facts to the petitioner is his confessional statement and in the case of ***Tofan Singh Vs. State of Tamil Nadu***, the Hon'ble Apex Court has held that the confessional statement of co-accused given in the cases of N.D.P.S. is not relevant and admissible. It has further been submitted that main thrust of allegation is against Pramod Yadav. Petitioner is languishing in judicial custody since 11.07.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

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 released on bail in connection with Khodabandpur P.S. Case No. 65 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and



Additional Sessions Judge-Ist-cum-Special Judge, N.D.P.S. Act
and P.O. of Children Court, Begusarai.

(Ashok Kumar Pandey, J)

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