

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28371 of 2026

Arising Out of PS. Case No.-76 Year-2026 Thana- PATNA CITY CHOWK District- Patna

Aditya Kumar @ Johnson, S/o Ravindra Kumar, R/o Kaimashikoh, PS-
Chowk, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Arya, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

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

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 8(c), 21(b) and 29 of the NDPS Act.

3. The case of the prosecution, in short, is that from the possession of Nitish Kumar and Vishal Kumar, altogether 51 grams of smack like contraband was recovered.

4. Learned Senior counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The name of this petitioner has surfaced in the confessional statement of these two co-accused persons Nitish and Vishal from whom the contraband was recovered. It has further been submitted that nothing has been recovered from the



possession of this petitioner. It has further been submitted that in view of the judgment of the Hon'ble Supreme Court in the case of *Tofan Singh vs. State of Tamil Nadu*, the confessional statement of the co-accused even in the NDPS cases has got no legal value. Petitioner is in judicial custody since 10.02.2026.

5. The application for bail is opposed by learned APP for the State and has submitted that petitioner is having criminal antecedent of three cases of different 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 court of learned Sessions Judge/Special Judge (N.D.P.S.), Patna in connection with Chowk P.S. Case No.76 of 2026.

(Ashok Kumar Pandey, J)

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