

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30249 of 2026

Arising Out of PS. Case No.-36 Year-2026 Thana- NADI P.S. District- Patna

Nepal Kumar S/O Laldeo Ray @ Laladevi Ray R/O Village- Bahrampur, P.S-
Rustampur, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

4 15-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nadi (Fathua) P.S. case No. 36 of 2026 registered for the offences punishable under Sections 8, 20(b)(ii)(c) of the NDPS Act.

3. As per the prosecution case, the petitioner, along with two other persons, was found sitting in a tempo, from which a total quantity of 13.160 kg of ganja was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case merely on the basis of being a passenger of the tempo in question. It has further been submitted that the petitioner is neither the driver nor the owner of the said tempo



from which the alleged recovery was made. It has also been submitted that the petitioner was unaware of the alleged contraband being kept in the tempo. It has further been submitted that nothing has been recovered from the possession of the petitioner. It has further been submitted that the witnesses of the seizure list are police personnel and procedure prescribed under Section 105 of the B.N.S.S. has not been followed. It has further been submitted that the alleged recovery is intermediary quantity and is much less than the commercial quantity. It has further been submitted that co-accused namely, Sonu Kumar, who is driver and owner of the said tempo, has already been granted the privilege of the bail by a co-ordinate Bench of this Court vide order dated 14.07.2026 passed in Cr. Misc. No. 35626 of 2026. Moreover, co-accused Dinesh Kumar has also been granted the privilege of bail by a co-ordinate Bench of this Court vide order dated 14.05.2026 passed in Cr. Misc. No. 33026 of 2026. Lastly, it has been submitted that the petitioner has got no criminal antecedent and he is in custody since 28.01.2026.

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

6. Heard the parties and perused the record.



7. Considering the above facts and circumstances of the case, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna, in connection with Nadi (Fathua) P.S. case No. 36 of 2026.

8. The application stands allowed.

(Praveen Kumar, J)

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