

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29633 of 2026

Arising Out of PS. Case No.-74 Year-2026 Thana- NAGAR District- Vaishali

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1. Ashok Kumar S/O Vijendra Rai @ Bali Rai @ Bijendra Ray Resident of Vill.- Rambhadra, P.S.- Town Hajipur, Dist.- Vaishali
 2. Shiv Kumar S/O Vijendra Rai @ Bali Rai @ Bijendra Ray Resident of Vill.- Rambhadra, P.S.- Town Hajipur, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 8(c), 21(b) and 22 of the N.D.P.S. Act.

3. The case of the prosecution is that from the house of the petitioners, altogether 63.5 grams of smack like contraband was recovered.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Learned counsel for the petitioner has submitted that while making seizure, Section



105 of B.N.SS. has not been complied and the seizure list witnesses are police personnel. It has also been submitted that though the quantum of the contraband which has been recovered from the possession of the petitioners is more than small quantity but is much less than commercial quantity. A statement has been made in para-3 of this petition that the petitioner have got no criminal antecedent. Moreover, they are languishing in judicial custody since 29.01.2026.

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 petitioners on bail. The above named petitioners are directed to be released on bail in connection with Hajipur Town P.S. Case No. 74 of 2026 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge (NDPS Act), Vaishali at Hajipur.

(Ashok Kumar Pandey, J)

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