

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32831 of 2026

Arising Out of PS. Case No.-47 Year-2025 Thana- RATANPUR District- Supaul

RAJESH YADAV @ RAJESH KUMAR YADAV S/O DEVNARAYAN
YADAV R/o vill - Satanpatti, ward no. 11, P.S.- Ratanpura, Distt.- Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate

For the Opposite Party/s : Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-05-2026 Heard Mr. Murari Narain Chaudhary, learned
counsel for the petitioner and Md. Matloob Rab, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
11.01.2026 in connection with NDPS Case No. 52 of 2025,
arising out of Ratanpura P.S. Case No. 47 of 2025 for the
offences punishable under Sections 8, 20(b)(ii)(B), 8(c) 21(a)
and 29 of the NDPS Act.

3. The case of the prosecution, in brief, as alleged in
the First Information Report had taken place in between the
period 6:30 P.M. to 7:30 P.M. on 17.05.2025, when a raid was
conducted by the informant at the house of this petitioner,
regarding which the F.I.R. had been lodged on the next day at
about 12:45 P.M., by one Raghav Kumar Jha, the Inspector in



S.S.B., 45th Bt, alleging inter-alia that the informant at about 5.30 P.M. on 17.05.2025 had received a secret information that Devnarayan Yadav of village Satanpatti had concealed narcotic substance in huge quantity inside his house and after giving this information to the Asst Commandant, the informant after constituting a team, consisting of 4 male and 2 female force with narcotic test kit as well as A.S.I. and 2 police force of Ratanpura Police Station, after arriving in the village, surrounded the house of Devnarayan Yadav. It is alleged that prior to conducting joint raid, the neighboring persons were asked to become witness of the search but nobody became ready for it, hence two of the force of nearing border post were included in the search operation as independent apprised with this fact that search was being made as he had concealed narcotic substance inside his house. hence he was having right to get the search conducted in presence of either Gazetted Officer of S.S.B./Police or any Magistrate, upon which he became ready for S.S.B. official, hence the Asst Commandant was informed and in his presence, a search of the house was made. It is further alleged that during course of search, two small bag, containing 10 plastic packing, having 10 kg of Ganza and 3 gm Brown Sugar was found, regarding which he



confessed that he used to bring those items from Nepal for the purposes of selling it and he further disclosed that he was doing this illegal business since before with his both the sons, namely Rajesh Yadav and Lalan Yadav, hence the recovered items, after being properly seized, were handed over to the Ratanpura Police for further action.

4. Learned counsel for the petitioner submits that it appears from the FIR and seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the house of the petitioner and altogether 10 kg of Ganza and 3 gm of Brown Sugar was recovered from the house of the petitioner. Learned counsel for the petitioner submits that for the same set of allegation similarly situated co-accused person, namely, Devnarayan Yadav, who is happened to be father of the petitioner, has been granted bail by a Coordinate Bench of this Court vide order dated 15.10.2025 passed in Cr. Misc. No. 71669 of 2025. Apart from aforesaid, the recovered contraband is less than the commercial quantity so there is no embargo of Section 37 of the NDPS Act to enlarge the petitioner on bail and the police after investigation has submitted charge-sheet and petitioner is in custody since 11.01.2026.



5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that recovery has been made from the house of the petitioner and petitioner has antecedent of one case other than the present case but fairly submits that the case has been disposed of in the Lok Adalat itself in the year 2025.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-VIII, Supaul/In Charge Successor Court in connection with NDPS Case No. 52 of 2025, arising out of Ratanpura P.S. Case No. 47 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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