

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32381 of 2026

Arising Out of PS. Case No.-123 Year-2026 Thana- TEGHRHA District- Begusarai

Viveka Kumar @ Vivek Kumar S/O Manoj Chaudhary Resident of Village-
Daniyalpur tola, Ward No- 06, PS- Teghara, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 12-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Teghra P.S. Case No. 123 of 2026 arising out of NDPS Case No. 31 of 2026, registered for the offences under Sections 8(c), 21(b) of the NDPS Act.

3. As per the prosecution case, petitioner was apprehended with 11.25 grams of smack.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has been falsely implicated in this case. Nothing incriminating has been recovered from person or possession of this petitioner and the allegation that 11.25 gram of smack in 9 plastic bags has been recovered from the possession of the petitioner is totally false. It



also appears from the FIR that the name of the petitioner first transpired in secret information and thereafter he has been falsely implicated in this case due to instigation by enemy of the petitioner. There is non-compliance of mandatory provisions of law and the witnesses are members of patrolling party. Learned counsel further submits that the recovered contraband is much less than the commercial quantity. Petitioner is having antecedent of one case under Excise Act and he is on bail in the said case. The petitioner is in custody since 09.03.2026.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the period of custody of the petitioner and nature of allegation against him, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Principal Sessions Judge, Begusarai/concerned court, in connection with Teghra P.S. Case No. 123 of 2026 arising out of NDPS Case No. 31 of 2026, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:



(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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