

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36017 of 2026

Arising Out of PS. Case No.-31 Year-2026 Thana- GARDANIBAG District- Patna

Ujjwal Kumar S/o Late Ram Pravesh Rai @ Ram Pravesh Yadav Resident of
village- Yogyatoli, Yarpur, P.S.- Gardanibagh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-06-2026 The Court proceeding is being conducted through
virtual mode.

2. Heard learned Counsel for the petitioner and
learned APP for the State.

3. The petitioner who apprehends arrest in connection
with Gardanibagh P.S. Case No.- 31 of 2026 lodged on
09.01.2026, for the offences punishable under sections 21,22(b),
25,29 of the N.D.P.S. Act, 1985.

4. As per the prosecution case, it appears that two
named persons, including the present petitioner, have been made
as accused. The prosecution alleges that, on receiving
information that smack/brown sugar was being sold from a cow
shed (khatal) belonging to the accused persons, the informant
along with the police party proceeded to the said place. Upon



conducting a search, 90 sachets of smack/brown sugar weighing a total of 55 grams were allegedly recovered from the premises. However, on seeing the police party, both the accused persons, including the present petitioner, allegedly fled from the spot.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. It is contended that the present case has been lodged against the petitioner at the instance of one Sunil Kumar Gupta, with whom the petitioner has a long-standing dispute regarding a piece of land on which a cattle shed (khatal) is situated. Learned counsel submits that Annexure P/2 to the application is the order dated 08.12.2011 passed in CWJC No. 11428 of 2008, wherein the said Sunil Kumar Gupta was impleaded as respondent no. 10. It is further submitted that a land dispute between the parties is also pending before the DCLR, being Land Dispute Case No. 121 of 2022-23, which is evident from Annexure P/3 to the application. Learned counsel argues that it is solely on account of the aforesaid land dispute that the petitioner's name has been implicated in the present case. He further submits that although the petitioner has criminal antecedents and is an accused in eight other criminal cases, all such cases have been instituted at the behest of the family members of Sunil Kumar Gupta owing to



the continuing dispute between the parties.

6. Learned APP for the State vehemently opposes the prayer for bail and submits that the petitioner is alleged to have been engaged in the sale of smack and that recovery has been effected from the cattle shed belonging to him. It is further submitted that a total of 55 grams of smack was recovered during the raid, which *prima facie* connects the petitioner with the alleged offence. Moreover, the petitioner is accused in eight more criminal case

7. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Gardanibagh P.S. Case No.- 31 of 2026, pending before the learned Principal District and Sessions Judge, Patna (Special Judge,NDPS) is hereby rejected.

(Dr. Anshuman, J)

Ashwini/Manshi

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