

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35185 of 2026

Arising Out of PS. Case No.-51 Year-2026 Thana- BALRAMPUR District- Katihar

Prince Kumar S/o Arun Jaiswal, R/o Harnaut Chowk, P.S.- Gopalpur, Distt.-
Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

2 21-05-2026 The matter was heard *via* video conferencing mode.

2. Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

3. The petitioner seeks bail in connection with
Balrampur P.S. Case No. 51 of 2026, registered for the offences
punishable under Sections 8(c) and 21(c) of the N.D.P.S. Act.

4. As per prosecution case, during the course of
vehicle checking, a car was signaled to stop and from the search of
the said car, recovery of 285 grams of smack like substance was
made.

5. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. Nothing incriminating has been recovered from the
conscious possession of the petitioner. During search and seizure
the Police did not comply with the provision of Section 50 of the



N.D.P.S. Act. Learned counsel lastly submits that petitioner has clean antecedent and he is in custody since 27.03.2026.

6. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that 285 grams of smack was recovered from the car in question which is more than the commercial quantity.

7. Considering the aforesaid facts and circumstances of the case, the direct involvement of the petitioner in the alleged occurrence, the fact that he was arrested from the spot, the quantity of recovered contraband and further considering the fact that use of mobile phone for drug dealing indicates organized activity, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner stands rejected.

9. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observation shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

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