

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35131 of 2026

Arising Out of PS. Case No.-65 Year-2026 Thana- KAHALGAON District- Bhagalpur

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Golu Kumar @ Saurav Kumar S/O Sanjay Yadav @ Sanjay Kumar Yadav
R/O Village- Ward No. 12, Chaudhary Tola, Kahalgaon, P.S.- Kahalgaon,
Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-07-2026 Heard Mr. Pravin Kumar Sinha, learned counsel for

the petitioner and Md. Aslam Ansari, learned Additional Public

Prosecutor for the State.

2. 2. Petitioner seeks bail, who is in custody since
15.02.2026, in connection with Kahalgaon P.S. Case No. 65 of
2026, F.I.R. dated 14.02.2026 registered for the offences
punishable under Sections 8(c), 21(b) of N.D.P.S. Act.

3. The case relates to recovery of 9.30 grams of Brown
Sugar.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that it appears
from the F.I.R. as well as seizure list that there is non



compliance of mandatory provisions of N.D.P.S. Act and it also appears from the F.I.R. as well as seizure list that altogether 9.30 grams of Brown Sugar was recovered. From possession of co-accused, Sunny Kumar @ Sanni Kumar 5.20 grams of Brown Sugar and from possession of this petitioner 4.10 grams of Brown Sugar was recovered. Learned counsel for the petitioner further submits that the recovered contraband is less than the commercial quantity so there is no embargo under Section 37 of the N.D.P.S. Act to enlarge the petitioner on bail. He next submits that similarly situated co-accused person, namely, Sunny Kumar @ Sanni Kumar has been granted the privilege of bail by this Court vide order dated 16.06.2026 in Cr. Misc. No. 37397 of 2026. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 15.02.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the petitioner has clean antecedent and that the recovered contraband is less than the commercial quantity, 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 ADJ, Bhagalpur in connection with Kahalgaon P.S. Case No. 65 of 2026, 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)

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