

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36649 of 2026

Arising Out of PS. Case No.-14 Year-2026 Thana- JANDAHA District- Vaishali

Avinay Kumar Singh, Gender-Male, Aged about 52 years, S/o Vijay Singh,
Resident of Village- Dih Buchauli P.S.- Jandaha (Mahisaur) in the District of
Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the Superintendent N.D.P.S. Patna, Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar, Advocate
For the Opposite Party/s	:	Mr. Mohammed Arif, APP
For the Union of India	:	Mr. Amish Kumar, Advocate, CGC.

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 28-07-2026 Heard learned counsel for the petitioner, learned APP

for the State, learned counsel for the Union of India and perused

the case diary.

2. The petitioner is in custody in a case registered for
the offence punishable under Sections 8, 20(b), (ii)(c) and 29 of
the NDPS Act.

3. As per allegation in the FIR, total 65 grams of
heroin has been recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that nothing has been recovered from the conscious
possession of the petitioner and two other co-accused persons



have already been granted bail by the learned trial Court. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 13.01.2026.

5. Learned counsel for the State has opposed the prayer for bail of the petitioner and submits that 65 grams of heroin has been recovered from the possession of the petitioner.

6. On perusal of the first information report, case diary and impugned order dated 24.04.2026, it appears that the said heroin has been recovered from the conscious possession of the petitioner and from perusal of para-14 of the case diary, it appears that the heroin was brought from Assam and sell in small packet, in which one co-accused Vikash Kumar also involves in the said trade and several witnesses have also supported the case of the prosecution, so I am not inclined to grant regular bail to the petitioner.

7. Prayer for regular bail of the petitioner is hereby rejected.

8. Petitioner is directed to renew his prayer for bail before this Court after completion of one year in custody.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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