

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38661 of 2026

Arising Out of PS. Case No.-135 Year-2026 Thana- GOPALPUR District- Patna

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Mukesh Kumar @ Indrajit Kumar @ Indrajit Son of Late Ramashish Prasad
Yadav Resident of Village/Mohalla- Bhogi Sakerpura, P.S.- Nagernausa,
District- Patna, at present Resident of Village/Mohalla- Udaini of Pinku house
Police Station- Gopalpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar, Adv.

For the Opposite Party/s : Md. Mushtaque Alam, APP.

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CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR
ORAL ORDER

3 24-07-2026 Heard the learned counsel for the petitioner as

well as the learned Additional Public Prosecutor for the

State.

2. The petitioner is seeking regular bail in connection
with Gopalpur P.S. Case No. 135 of 2026, registered for the
offences punishable under Sections 20(b) II B of the NDPS
Act and Section 30(a) of the Bihar Excise Act.

3. The prosecution case, in brief, is that on the basis
of a secret information, the police conducted a raid on
16.03.2026 at the general store of the petitioner, *Mukesh
Kumar @ Indrajit Kumar @ Indrajit*, situated near *Shriram
School* within *Gopalpur* Police Station. It is alleged that,



during the search conducted in the presence of the Block Development Officer, *Sampatchak*, 1.250 kg of *ganja*, five bottles (180 ml each) of all Season Golden Collection Reserve Whiskey and one electronic weighing machine were recovered from the shop of the petitioner. The recovered contraband was seized and the petitioner was arrested at the spot.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. No incriminating article has been recovered from conscious possession of the petitioner. He has further submitted that the petitioner is a shopkeeper and was not aware of the fact that the articles had been kept in his shop. He has also submitted that the provisions of Section 50 of the NDPS Act have not been complied with. He has next submitted that the petitioner is a person of clean antecedent and has been in judicial custody since 17.03.2026. He undertakes to cooperate with the investigation and trial as also not to repeat any offence of a similar nature.

5. On the other hand, the learned APP for the State



has opposed the prayer for bail and reiterated the allegations made in the FIR.

6. Taking into account the entire facts and circumstances of the case, coupled with the fact that the quantity of ganja recovered is slightly more than the small quantity and much below the commercial quantity and that the petitioner is a person of clean antecedent, let the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS, Patna/concerned court in connection with Gopalpur P.S. Case No. 135 of 2026, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial.

(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at



liberty to cancel the bail bond of the petitioner.

(iv) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if he is found involved in any case other than present one, his bail bond will not be accepted.

(v) It is also made clear that there shall not be any delay in verifying the criminal antecedent of the petitioner.

(vi) If he repeats any offence of similar nature, his bail bond shall be liable to be cancelled immediately by the learned court below.

(Raj Kumar, J)

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