

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40958 of 2026

Arising Out of PS. Case No.-208 Year-2026 Thana- RAJIVNAGAR District- Patna

Ashwini Kumar @ Ashwani Kumar Son of Arvind Kumar Resident of
Mohalla- Beur, Anisabad, P.S.- Beur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Renuka Ratnakar(125), APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 25-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection
with Rajeev Nagar P.S. Case No. 208 of 2026 registered for the
offence punishable under Sections 8, 20 and 22 of the N.D.P.S.
Act.

3. The case of the prosecution, in short, is that from
the possession of one co-accused Shekhar, 102.54 grams of
smack was recovered.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this
case. He has further submitted that nothing has been recovered
from the possession of the petitioner rather the recovery has



been made from the possession of co-accused Shekhar and he has already been granted bail by this Court vide Cr. Misc. No. 38110 of 2026. The witnesses of the seizure list are police personnel and the police has not complied with Section 105 of the BNSS while making the seizure. He has also submitted that the alleged recovery of contraband is though more than small quantity but is much less than commercial quantity. Moreover, he is languishing in judicial custody since 05.04.2026.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge/Special Judge (NDPS), Patna in connection with Rajeev Nagar P.S. Case No. 208 of 2026.

(Ashok Kumar Pandey, J)

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