

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51494 of 2026

Arising Out of PS. Case No.-254 Year-2026 Thana- PATNA CITY CHOWK District- Patna

Vikash Kumar S/o Suresh Rai, Resident of Jadhua in front of filed School,
P.S. - Hazipur Nager, District -Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Patna City Chowk P.S. Case No. 254 of 2026 dated 13.05.2026, registered for the offences punishable under Sections 8(c), 21(b) and 29 of the NDPS Act.

3. As per the prosecution case, recovery of 24 grams of heroin like substance was made from the petitioner apart from cash of Rs. 1,200/- and a mobile phone. The petitioner and co-accused Renu Devi were found carrying the heroin and police received a tip-off about them. From the co-accused recovery of 36 grams of heroin was made.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Nothing incriminating has



been recovered from person or possession of the petitioner. There is non-compliance of provision of search and seizure under Section 105 of the B.N.S.S., 2023 and Section 50 of the NDPS Act. No notice under Section 50 of the NDPS Act was given to the petitioner. The co-accused from whom recovery of 36 grams of heroin has been made, has been granted bail by a learned co-ordinate Bench of this Court *vide* order dated 07.07.2026 passed in Cr. Misc. No. 44262 of 2026. Learned counsel next submits that petitioner is having clean antecedent. Learned counsel lastly submits that petitioner is in custody since 14.05.2026.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the grant of bail to similar situated co-accused and further considering clean antecedent of the petitioner and his period of custody, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Session Judge / Special Judge NDPS Act, Patna / concerned Court, in connection with **Patna City Chowk**



P.S. Case No. 254 of 2026, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.*
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.*
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.*

(Arun Kumar Jha, J)

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