

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 42613 of 2026

Arising Out of PS. Case No.-91 Year-2026 Thana- Madhusudanpur District- Bhagalpur

Dharmveer Kumar S/o Ravindra Das Resident of Village- Nurpur, Harijan
Tola, P.S.- Madhusudanpur, District- Bhagalpur Petitioner/s
Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 42748 of 2026

Arising Out of PS. Case No.-91 Year-2026 Thana- Madhusudanpur District- Bhagalpur

Sentu Kumar @ Sintu Kumar @ Santu kumar Son of Joni Hari R/o Village -
Nathnagar, Kundi Tola, P.S.- Nathnagar (Lalmatia), District - Bhagalpur.
... .. Petitioner/s
Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 42613 of 2026)

For the Petitioner/s : Mr. Ajay K Singh, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 42748 of 2026)

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-07-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. Petitioners seek bail who are in custody since
22.04.2026 in Madhusudanpur P.S. Case No. 91 of 2026, F.I.R.
dated 21.04.2026 for the offences punishable under Sections 8
(c), 21(B) of the Narcotic Drugs & Psychotropic Substance Act,
1985.

3. Recovery is of 6.27 grams of brown sugar like



substance from the possession of co-accused persons, namely, Sishu Kumar @ Aditya Raj and Rahul Kumar and 1.88 grams of brown sugar like substance was recovered from possession of the petitioners.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that there is non-compliance of the mandatory provision of Sections 42 and 50 of the N.D.P.S. Act and it appears that the recovered contraband is less than the commercial quantity. Hence, there is no embargo under Section 37 of the N.D.P.S Act for grant of bail to the petitioners. He further submits that the police after investigation submitted the charge sheet. The petitioners are in custody since 22.04.2026.

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

6. Considering the aforesaid facts and circumstances and the petitioner have clean antecedent and that the recovered contraband is less than the commercial quantity, let the petitioners, 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 Principal



Session Judge, Bhagalpur in connection with Madhusudanpur
P.S. Case No. 91 of 2026, subject to the following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their 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 petitioners and in case at any stage it is found that the petitioners have concealed their 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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