

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52181 of 2026

Arising Out of PS. Case No.-206 Year-2026 Thana- RAJAPAKAR District- Vaishali

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Kundan Kumar S/O Naresh Rai @ Naresh Ray Resident of Village-
Daudnagar, P.S- Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Shankar Prasad, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
ORAL ORDER

2 29-07-2026 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. appearing for the State.

2. Petitioner is in custody in connection with
Rajapakar (Baranti) P.S. Case No.-206 of 2026 registered for the
offence punishable under Section 8(c) & 21(B) of the NDPS
Act.

3. As per the allegation in the FIR, 35.34 gram of
smack was recovered from the vehicle in question.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He next submits that co-accused, Ravi Shankar Kumar
has already been granted bail by a co-ordinate Bench of this
Court vide order dated 08.07.2026 passed in Cr. Misc No. 43893
of 2026. The petitioner is in custody since 25.04.2026 and he



has one criminal antecedent in which he is on bail. It is further submitted that the petitioner undertakes to donate a sum of Rs. 25,000/- (Rupees Twenty-Five Thousand Only) to a charitable organization, without prejudice to his defence and without admitting guilt.

5. Learned APP appearing on behalf of the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner be released on bail, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Ld. Sessions Judge-cum-Special Judge, NDPS Act, Vaishali at Hajipur in connection with Rajapakar (Baranti) P.S. Case No.- 206 of 2026, subject to the following conditions:

(I). The petitioner shall deposit a sum of Rs. 25,000/- (Rupees Twenty-Five Thousand only) with Ramakrishna Mission Ashrama, Ramakrishna Avenue, Nala Road, Patna, Bihar and shall produce a valid receipt thereof before the court below. The bail bonds shall be accepted only after verification of the genuineness of the said receipt.

(ii). The petitioner shall mark his attendance at Rajapakar (Baranti) Police Station on every Sunday of each month. In the event of default, the bail bonds shall be liable to be cancelled.

(iii) At the time of accepting the bail



bonds of the petitioner, the court below shall verify antecedent of the petitioner. The bail bonds shall be accepted only if it is found that the petitioner has concealed the antecedent . However, it is made clear that the acceptance of the bail bonds shall not be delayed on the ground of, or in the name of, such verification. During the process of verification, the petitioner shall be released on interim bail and upon completion of the verification, the court below shall pass an appropriate order in accordance with law.

7. It is made clear that any observation made herein is prima facie in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Girijish Kumar, J)

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