

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43936 of 2026**

Arising Out of PS. Case No.-49 Year-2026 Thana- Bypass District- Bhagalpur

Saurav Kumar Son of Ganori Ray @ Ganouri Ray Resident of Village-  
Tardiha, P.S.- Bypass, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      07-07-2026      Heard Mr. Brij Nandan Prasad, learned counsel for the  
petitioner and Mr. Rajendra Singh, learned APP for the State.

2. Petitioner seeks bail, who is in custody since  
22.03.2026, in connection with Bypass P.S. Case No. 49 of 2026,  
F.I.R. dated 21.03.2026 registered for the offences punishable  
under Sections 21(b), 20, 22 of N.D.P.S. Act.

3. The case relates to recovery of 9.06 grams of  
Brown Sugar and 8.79 grams of Ganja.

4. Learned counsel for the petitioner submits that the  
petitioner has clean antecedent and he has been falsely implicated  
in the present case. He further submits that the allegation as  
alleged in the F.I.R. is false and fabricated and the petitioner has  
not committed any offence as alleged in the F.I.R. It appears from  
the F.I.R. as well as seizure list that 9.06 grams of Brown Sugar



like substance and 8.79 grams of Ganja like substance were recovered from the place of occurrence. He further submits that there is non compliance of mandatory provisions of N.D.P.S. Act and apart from that the recovered contraband is less than the commercial quantity, so there is no embargo under Section 37 of the N.D.P.S. Act to enlarge the petitioner on bail. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 22.03.2026.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is non compliance of mandatory provisions of N.D.P.S. Act and the recovered contraband is less than the commercial quantity, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Principal District and Sessions Judge, Bhagalpur in connection with Bypass P.S. Case No. 49 of 2026, subject to the following conditions :-

(1) Petitioner 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



his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his 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.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his 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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