

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46106 of 2026

Arising Out of PS. Case No.-129 Year-2026 Thana- LAHERIMUHALLA District- Nalanda

Kanhaiya Kumar S/O Munna Paswan R/O Vill- Bhaisasur, P.S- Laheri, Dist-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Laheri
P.S. Case No. 129 of 2026 instituted for the offences under
Sections 8(c), 21(b) of the N.D.P.S. Act.

3. Prosecution case, in short, is that total 15.33 grams
of herione has been recovered in this case.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. Petitioner is in
custody since 24.03.2026 and has one criminal antecedent.
There is no allegation of tampering of witnesses alleged against
the petitioner. Learned counsel further submitted that as per



FIR, total 15.33 grams of brown sugar has been recovered, out of which only 0.54 grams has been recovered from the petitioner. He further contends that petitioner has no concern with the alleged recovery. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, recovered contraband being less than the commercial quantity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Laheri P.S. Case No. 129 of 2026.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

