

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46763 of 2026

Arising Out of PS. Case No.-190 Year-2026 Thana- LADANIA District- Madhubani

Rahul Kumar Son of Pawan Sahni Resident of Village - Inarwa, Goth, Ward
No. - 06, Police Station - Deodha, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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

ORAL ORDER

2 21-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Ladaniya P.S. Case No. 190 of 2026, GR Case No. 59 of 2026
instituted for the offences under Sections 20, 21 of the N.D.P.S.
Act.

3. Prosecution case, in short, is that, acting on secret
information, the police raided a hut where the petitioner and two
others were allegedly consuming brown sugar, and recovered 10
grams of brown sugar, a digital weighing machine, two lighters,
and a mobile phone from the petitioner.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is in custody since 17.05.2026 and has no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. 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 as also Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

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 Ladaniya P.S. Case
No. 190 of 2026, GR Case No. 59 of 2026.

(Rudra Prakash Mishra, J)

Alok Verma/-

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