

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45808 of 2026

Arising Out of PS. Case No.-190 Year-2026 Thana- BHARGAMA District- Araria

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1. Baby Devi W/O Ranjit Bhagat R/O Kusmoul, Ward no.-09, P.S.- Bhargama, District- Araria.
 2. Ranjit Kumar Bhagat @ Ranjit Bhagat S/O Subodh Bhagat R/O Kusmoul, Ward no.-09, P.S.- Bhargama, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate

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

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

ORAL ORDER

2 14-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with
Bhargama P.S. Case No. 190 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 65.76 grams
of smack has been recovered in this case.

4. Learned counsel for the petitioners submitted that
the petitioners have falsely been implicated in the present case.
Petitioners are in custody since 09.06.2026. Petitioner no. 1 has
no criminal antecedent whereas petitioner no. 2 has one criminal
antecedent. There is no allegation of tampering of witnesses



alleged against the petitioners. No incriminating material has been recovered from the conscious possession of the petitioners. 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 Section 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 petitioners.

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

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhargama P.S. Case No. 190 of 2026, subject to the following conditions:

(I) One of the bailors shall be the petitioners' own or a close family member.

(II) The petitioners shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.



(III) The petitioners shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

Alok Verma/-

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