

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48195 of 2026

Arising Out of PS. Case No.-146 Year-2026 Thana- TEGHRHA District- Begusarai

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Abhay Kumar @ Ghunghuru @ Ghunghuru Singh S/o Binod Singh R/o
Village - Madhurapur, Dakshinwari Tola, P.S. - Teghra, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amritesh Kumar, Advocate

For the Opposite Party/s : Mr.Anant Kumar I, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with NDPS Case No. 36 of 2026 arising out of Teghra P.S. Case No. 146 of 2026 registered for the alleged offences under Sections 8(c), 21(b) of NDPS Act.

03. As per prosecution case, police received information about petitioner and other co-accused persons selling smack. A raid was conducted and three persons started running away on seeing the police party leaving behind their motorcycle. The petitioner was apprehended and two other co-accused persons fled away from the spot. From the motorcycle of the petitioner, recovery of 7.55 gms of smack and 40



Nitrazepam tablets were made. The motorcycle was also seized. A small diary containing the account of business of narcotic substance was also recovered.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence in the manner as alleged has ever taken place. The motorcycle from which recovery has been shown does not belong to the petitioner. The place from where recovery has been made is the cattle shed of co-accused Nitesh Kumar and said place does not belong to the petitioner. There is non-compliance of mandatory provisions of Section 50 of NDPS Act and Section 103 of BNSS. Learned counsel further submits that the petitioner has been made accused in this case at the instance of one Venkatesh Kumar, who has been facing trial on account of murderous attack upon the brother of the petitioner. Learned counsel further submits that the petitioner is having antecedent of 13 cases and he has been acquitted in three cases and most of the cases have been instituted at the instance of his agnates. The petitioner is in custody since 22.03.2026 and charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the



petitioner is habitual offender as he is having antecedent of 13 cases.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the quantity of contraband seized and also considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to 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 learned Principal District & Sessions Judge, Begusarai/concerned Court in connection with NDPS Case No. 36 of 2026 arising out of Teghra P.S. Case No. 146 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the



petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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