

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59480 of 2025**

Arising Out of PS. Case No.-11 Year-2024 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Begusarai

Sanjeev Kumar Yadav @ Sanjiv Yadav @ Sanjiv Kumar Yadav S/O Ram
Pravesh Yadav @ Ram Prasad Yadav R/O Village- Sukhasan (Shukhasan),
Ward No.02, P.O- Shripur, P.S - Kishanpur, District - Supaul.

... .. Petitioner/s

Versus

The Union of India through NCB, Patna, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s :	Mr. Dr. K.N. Singh(A.S.G.)
	Mr. Manoj Kumar Singh (C.G.C)
	Mr. Ankit Kumar singh (J.C)
	Mr. Prabhat Kumar, Advocate
	Mr. Sanjay Kumar Singh, Advocate

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

ORAL ORDER

6 16-01-2026 Heard learned counsel for the petitioner and learned
A.S.G for the Union of India through NCB.

2. The petitioner seeks bail in connection with NDPS
No. 59 of 2024, arising out of NCB Case No. 11 of 2024,
instituted for the offences punishable under Sections 8(c), 20(b)
(ii)(c) and 29 of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 90 Kg of Ganja from a Bolero car and the petitioner
was arrested on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that the petitioner has got no concern with the alleged recovery of Ganja. It is next submitted that the petitioner is neither owner nor driver of that vehicle in question rather he took lift in that vehicle and has been arrested only on the basis of suspicion. The petitioner is in custody since 26.10.2024 and has got no criminal antecedent. 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. Learned A.P.P. submits that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act. It is further submitted that regular bail of other co-accused has been rejected by this Court vide order dated 18.08.2025 passed in Cr. Misc. No. 36287 of 2025.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

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