IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76314 of 2026

CNR No. BRHC010991962026

Arising Out of PS. Case No.-346 Year-2026 Thana- MOKAMAH District- Patna

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Gopal Kumar @ Gopal Jee son of Late Vijay Sharma Resident of Dhaurani Tola, Ward No. 19, P.S. -Mokama, District -Patna, Bihar

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
Mr. Ravi Ranjan, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Mokama P.S. Case No. 346 of 2026 lodged on 09.07.2026, for the offences punishable under Sections 21(b) and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. The prosecution case, in brief, is that on 09.07.2026, police received secret information regarding the sale of brown sugar near Dhaurani Tola, Mokama, and apprehended the petitioner while he attempted to flee. It is further alleged that on subsequent search, 104 packets containing 14.36 grams of brown sugar (smack), along with a

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mobile phone, silver paper and a lighter was recovered.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel for the petitioner further submits that the petitioner is in custody since 10.07.2026 and the charge-sheet has been submitted. The counsel lastly submits that the provisions of Section 50 of the NDPS Act were not complied with by the police.

5. The learned APP for the State vehemently opposed the prayer for bail of the petitioner.

6. Having heard the parties and taking into consideration the fact that the petitioner is in custody since 10.07.2026 and the charge-sheet has been submitted, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the likewise amount each to the satisfaction of learned Sessions Judge/Special Judge (NDPS) Patna in connection with Mokama P.S. Case No. 346 of 2026, subject to the following conditions:

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

(II) The petitioner shall co-operate in the process of

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trial.

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

(IV) The Petitioner shall not commit offence of a similar nature in future.

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

(Alok Kumar, J)

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