

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75045 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- PHULWARIA District- Begusarai

Nandan Kumar S/O Prabhat Kumar R/O Village- Maksaspur, Ward No.-28,
P.S- Barauni, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh, Adv.

For the Opposite Party/s : Ms.Rina Sinha, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 13-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. A prayer for bail has been made on behalf of the petitioner in connection with NDPS Case No. 47 of 2025 arising out of Phulwariya P.S. Case no.117 of 2025 registered under sections 8, 20(b)(ii)(B) of NDPS Act.

3. There is a recovery of 6 kg. of *ganja* from the front seat of Scorpio vehicle.

4. Learned counsel for the petitioner submits that petitioner is only the driver of the Scorpio vehicle, from which recovery of 6 kg. Ganja was made from the front seat of the said vehicle, which is more than small quantity but less than commercial quantity. Further, there is no independent witness to the seizure list indicating violation of mandatory provisions of search and seizure. The petitioner has no criminal antecedent



and undertakes to cooperate in the case/trial. He is in custody since 28.07.2025 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering that intermediate quantity of *ganja* has been recovered from the vehicle and not from the conscious possession of the petitioner coupled with the fact that charge-sheet has been submitted in the case, the petitioner, having no criminal antecedent, is directed to be enlarged on bail in connection with NDPS Case No. 47 of 2025 arising out of Phulwariya P.S. Case no.117 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned where the case is pending/successor Court, subject to the following conditions:-

(I) One of the bailors of the petitioner shall be the family member/close relative of the petitioner.

(II) The petitioner shall remain physically present in the learned trial Court on each date and shall cooperate in the trial. In case the petitioner is absent on the two consecutive



dates without sufficient reasons, the learned trial Court would be
at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

Harsh/-

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