

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78562 of 2025

Arising Out of PS. Case No.-264 Year-2025 Thana- BEUR District- Patna

1. Vikash Kumar Son of Daroga Singh Resident of Village- Patlapur, P.S.- Shahpur, District- Patna
2. Rohit Kumar Son of Late Kamlesh singh Resident of Village- Dharampur, Ps- Athmalgola, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Lalan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 06-02-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Special Case (NDPS) No. 152 of 2025 arising out of Beur P.S. Case No. 264 of 2025 instituted for the offences under Sections 111(2), 61(2) of the Bharatiya Nyaya Sanhita, 2023, Sections 25(1-b)a, 26, 35 of the Arms Act and Sections 8/20(b)(ii)(A) of the N.D.P.S. Act.

3. Prosecution case, in short is that, on 25.05.2025, during police raid at the rented house of Sagar Kumar (Sai Niwas), seven men and two women were apprehended with 10 country-made pistols, 19 magazines, arms parts, 51,550 cash, ₹



and 800g ganja. On interrogation, they disclosed running an illegal arms and ganja trade.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Charge-sheet has been submitted in this case. Petitioners are in custody since 27.05.2025. Petitioners have no criminal antecedent. Learned counsel further submitted that the name of the petitioners surfaced in this case on the basis of confessional statement of co-accused Sagar Kumar, which has no evidentiary value. There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioners. The recovery of narcotic substance has been made from the almira of co-accused Sagar Kumar. Learned counsel for the petitioner further submits that other co-accused has been granted bail by this Bench vide order dated 15.09.2025 passed in Cr. Misc. No. 65418 of 2025. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act as also of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

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, claim based on parity 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 Special Case (NDPS) No. 152 of 2025 arising out of Beur P.S. Case No. 264 of 2025.

(Rudra Prakash Mishra, J)

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