

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75507 of 2025

Arising Out of PS. Case No.-469 Year-2025 Thana- FATUA District- Patna

Kamlesh Kumar S/o Prakash Mahto Resident of Navi Nagar, P.S.- Deep Nagar, Dist.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 21-01-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Special (N.D.P.S.) Case no. 178 of 2025 (arising out of Fatuha P.S. Case no. 469 of 2025) registered under sections 8, 20(b)(ii)(B) of the N.D.P.S. Act.

3. As per the prosecution case, 7.5 kgs. of *ganja* was recovered from the tempo being driven by this petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The *ganja* which is much below the commercial quantity belonged to one of the passengers who had left it behind. The petitioner has no concern with the seized *ganja*. He is in custody since 26.6.2025 and has no



criminal antecedent.

5. The application for bail is opposed by learned APP for the State who submits that in the Forensic Science Laboratory report, the seized article has been confirmed to be *ganja*.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the seized quantity being below the commercial quantity, the petitioner having remained in custody since 26.6.2025, chargesheet having been submitted in the case and specially the petitioner not having any criminal antecedent under the N.D.P.S. Act, the Court directs the petitioner to be enlarged on bail in connection with Special (N.D.P.S.) Case no. 178 of 2025 (arising out of Fatuha P.S. Case no. 469 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 Exclusive Special Court, (N.D.P.S. Act) No. II, Patna.

(Partha Sarthy, J)

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