IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75874 of 2026

CNR No. BRHC011098622026

Arising Out of PS. Case No.-48 Year-2026 Thana- Narhiya District- Madhubani

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Badri Kumar S/o Late Makhan Mehta R/o - Gadhiya, P.S - Bhaptiyahi, District - Supaul.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 28-10-2026 Heard the parties.

2. The petitioner seeks bail in connection with Narahiya P.S. Case No. 48 of 2026 registered for the offence under Sections 8, 20(b)(ii)C, 22(C) of NDPS Act.

3. The petitioner is named in the F.I.R. and is in custody since 26.05.2026.

4. The allegation against the petitioner is of recovery of 28 kg of *Ganja* like substance containing in 4 bags kept under sleeper seat no. 1 and 2 of Maa Durga Rath Bus bearing registration no. BR 06 PF 3694.

5. Learned counsel appearing on behalf of the petitioner submitted that the petitioner was *bona-fide*

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passenger of the bus but as one bag of 7.4 kg of *Ganja* was said to be recovered below his seat he was implicated with present recovery of contraband. It is pointed out that even if it is presumed that 7.4 kg of *Ganja* was recovered from the possession of this petitioner, same is of intermediate quantity and, therefore, rigors of section 37 of NDPS Act not appears applicable in the present case. It is further submitted that similarly situated co-accused namely, Mukesh Kumar has already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 74915 of 2026 vide order dated 15.10.2026 and therefore, as a matter of judicial parity this petitioner also deserves bail. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submissions and by taking note of fact as similarly situated co-accused person

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has already been granted bail by one of the learned Co-ordinate Bench of this Court as discussed aforesaid, coupled with fact as investigation of this case has already completed wherein petitioner remains in custody since 26.05.2026, accordingly petitioner above named, is directed to be released on bail in connection with Narahiya P.S. Case No. 48 of 2026 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Principal Sessions Judge, Madhubani /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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