**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.75460 of 2026**

**CNR No. BRHC011102802026**

Arising Out of PS. Case No.-153 Year-2026 Thana- NAGAR District- Vaishali

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Guddu Kumar @ Guddu Paswan S/o Pram Shankar Paswan R/o Village- Chhoti Marai Sahi Colony, P.S.- Town Hajipur, District- Vaishali

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Ms. Eashita Raj, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

2 27-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Hajipur Town P.S. Case No. 153 of 2026 instituted for the offences under Sections 8(c), 21(b) and 22 of the N.D.P.S. Act.

3. Prosecution allegation, in short, is that 8.58 grams Heroin was recovered from the possession of co-accused.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the

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present case. The petitioner is in custody since 22.07.2026 and has got no criminal antecedent. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of contraband. The name of the petitioner has transpired on the confessional statement of co-accused, namely, Pawan Kumar which has no evidentiary value in the eye of law. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent, the period of custody undergone by the petitioner and the recovered contraband below commercial quantity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Hajipur Town P.S.

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Case No. 153 of 2026.

**(Rudra Prakash Mishra, J)**

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