

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78190 of 2025**

Arising Out of PS. Case No.-165 Year-2024 Thana- Bypass District- Bhagalpur

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Deepankar Kumar @ Dipankar Kumar Son of Upendra Prasad Yadav R/o Village - Khutaha, P.S. - Bypass, Dist. - Bhagalpur, At present Chhoti Kodarzanna, P.S. - Sahebganj(Sahevganj), Dist. - Sahebganj(Sahevganj), Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                            |   |                                                                                                                               |
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| For the Petitioner/s       | : | Mr. Rama Kant Sharma, Sr. Advocate<br>Mr. Mayank Raj, Advocate<br>Mr. Adarsh P, Advocate<br>Mr. Rakesh Kumar Sharma, Advocate |
| For the Opposite Party/s : |   | Mr. Sunil Kumar Pandey, Advocate                                                                                              |

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**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

4      19-03-2026                      Heard the learned counsel for the petitioner and  
  
learned APP for the State.

2. The petitioner makes a prayer for bail in connection with NDPS P.S. Case No.46 of 2025 arising out of Bypass P.S. Case No.165 of 2024, F.I.R dated 28.12.2024 registered for the offences punishable under Sections 8(c), 21(c), 25 and 29 of the N.D.P.S. Act.

3. As per the prosecution case, On 28.12.2024, based on secret information, a police team conducted a vehicle check on the Bhagalpur–Hasdiha road and intercepted a Maruti Suzuki car carrying two persons. Upon search, conducted in the



presence of an Executive Magistrate and witnesses, 9 packets of suspected smack weighing a total of 920 grams were recovered from a red bag in the vehicle. The accused, including the petitioner Deepankar Kumar, were apprehended, and cash, mobile phones, and identity cards were seized from them. During interrogation, they disclosed that the contraband was supplied by one Ravi Kumar for delivery in Bhagalpur.

4. Learned counsel for the petitioner submits that the contraband to the tune of 920 gms is said to have been recovered from the vehicle registered in the name of co-accused, namely, Upendra Kumar Yadav, who happens to be the father of the petitioner. It has further been submitted that the investigation has been completed and charge-sheet has also been submitted on 24.03.2025, without waiting for the FSL report, which is in utter disregard of the judgment of Hon'ble Apex Court and the petitioner is languishing in custody since 29.12.2024. Lastly, it has been submitted that the petitioner has no criminal antecedent and the recovery is said to have been made from the vehicle of which the co-accused, namely, Upendra Kumar Yadav, happens to be the owner and has already been allowed the privilege of regular bail vide order dated 22.01.2026 passed in Cr. Misc. No.64305 of 2025.



5. Learned Additional Public Prosecutor for the State opposes the prayer for regular bail.

6. Considering the facts and circumstances that charge-sheet has been submitted, without waiting for the FSL report, which is in utter disregard of the judgment of Hon’ble Apex Court and the co-accused person has already been granted the privilege of regular bail vide order dated 22.01.2026 passed in Cr. Misc. No.64305 of 2025, the petitioner is enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned District Judge & Additional Sessions Judge-I, Bhagalpur, in connection with Bypass P.S. Case No.165 of 2024, subject to the condition that the petitioner shall co-operate in the investigation/trial.

**(Ajit Kumar, J)**

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