

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88613 of 2025

Arising Out of PS. Case No.-291 Year-2025 Thana- SHIVSAGAR District- Rohtas

Ritik Kumar Son of Umesh Chaudhary Resident of Village- Barahpathar,
Ward No. 36, Dehri, Post- Dehri, P.S.- Dehri, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

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

ORAL ORDER

3 20-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Shiv Sagar P.S. Case No. 291 of 2025, instituted for the offences punishable under Sections 8(c), 21(b), 22, 27(A) and 29 of the NDPS Act.

3. Prosecution allegation, in short, is that there is recovery of 42 gram of heroine like substance in this case and the petitioner along with other co-accused person has been arrested on spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submitted that the petitioner has got no concern with the alleged recovery of heroine. The alleged recovery has been made from the possession of co-accused Vishal Kumar. 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. The petitioner is in custody since 06.09.2025 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Learned counsel for the petitioner further submitted that other co-accused person has been granted regular bail by a co-ordinate Bench of this Court vide order dated 28.01.2026 passed in Cr. Misc. No. 5031 of 2026.

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, the recovered contraband being below the commercial quantity and the period of custody undergone by the petitioner, 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/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Shiv Sagar P.S. Case
No. 291 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of
the family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial. In case of default in such appearance on two
consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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