

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90441 of 2025

Arising Out of PS. Case No.-184 Year-2025 Thana- BHAGWANGANJ District- Patna

Pawan Kumar S/o Sanjay Yadav Resident of Village- Bajitpur (Vajirganj),
P.S.- Kalpa (OP), District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Prasad, Advocate

For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bhagwanganj P.S. Case No. 184 of 2025 registered for the
offences punishable under Sections 8(a)(c), 20(b)(ii)(B) of
N.D.P.S. Act.

3. As per prosecution-case, there is alleged
recovery of 1.4 k.g. of Ganja like substance kept in a white bag
on a splendor motorcycle.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has committed no offence as
alleged in the F.I.R. The seizure-list clearly denotes that the
alleged recovery of 1.4 kg. of Ganja like substance is not either
from the physical or conscious possession of the petitioner and



the petitioner has been falsely implicated in the present case without having any substance and the alleged recovery is much less than commercial quantity and the mandatory provision of Sections- 42, 50 and 57 of the N.D.P.S. Act has not been complied with in the present case. Petitioner is having no criminal antecedent. Petitioner is in custody since 14.10.2025.

5. Learned A.P.P. vehemently opposes the prayer of bail and submitted that as there is alleged recovery Ganja like substance from the possession of the petitioner, he cannot escape from the allegations levelled in the F.I.R. Hence, petitioner does not deserve bail.

6. Considering the facts and circumstances of the case, period of custody, clean antecedent of the petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge (NDPS), Patna in connection with Bhagwanganj P.S. Case No. 184 of 2025, subject to following conditions:-

(i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) If the petitioner is found involved in similar nature of offences in future, the learned Trial Court shall be at liberty to cancel his bail-bonds.

(Alok Kumar Pandey, J)

K.C.Jha/-

U		T	
---	--	---	--

