

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31 of 2026**

Arising Out of PS. Case No.-509 Year-2025 Thana- JHAJHA District- Jamui

Sarwan Kumar @ Dablu Sharma S/o Sukhdeo Sharma @ Sukhdeo Sharma  
R/o Village- Helajot Chhoti Chandwari, P.S- Jhajha, Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanju Singh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad 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. Perused the case diary.

2. The petitioner seeks bail in connection with Jhajha  
P.S. Case No. 509 of 2025 instituted for the offences under  
Sections 8A(c), 21(b) of the N.D.P.S. Act and Sections 30(a),  
37 of the Bihar Prohibition and Excise Act.

3. Prosecution case, in short, is that 1.83 litres of  
foreign liquor and 14 grams of brown sugar has been recovered  
in this case.

4. Learned counsel for the petitioner submitted that the  
petitioner has falsely been implicated in the present case.  
Charge-sheet has been submitted in this case. Petitioner is in  
custody since 26.10.2025 and has six criminal antecedents.



There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged recovery. Learned counsel further submitted that the alleged recovery has been made from the joint house of the petitioner where other family members also reside. The recovered contraband is below commercial quantity, and 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, recovered contraband being less than the commercial quantity as also 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, ***after framing of charge, if not already framed***, 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 Jhajha P.S. Case No.



509 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)**

Alok Verma/-

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