

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2115 of 2026

Arising Out of PS. Case No.-421 Year-2025 Thana- KHUSRUPUR District- Patna

1. Sanjay Singh S/O Padarath Singh A Permanent R/O Village- Chainpur, At Present - Bhuski ,P.S.- Khusrupur, District- Patna.
2. Kripal Kumar S/O Nasib Yadav @ Nasib Kumar A permanent resident of Daulatpur, P.S- Bela, Distt.- Gaya, at present Village- Bhuski, P.S- Khusrupur, Distt.- Patna.

... .. Petitioner/s

Versus

The Union of India through Narcotic Control Bureau, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harish Kumar, Advocate

For the Opposite Party/s : Mr.Dr Krishna Nandan Singh, ASG

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-01-2026 Heard Mr.Harish Kumar, learned counsel for the

petitioners and Mr.Dr Krishna Nandan Singh, learned

Additional Solicitor General for the Union of India.

2. The petitioners seek bail, who are in custody since 25.10.2025, in connection with Khusrupur P.S.Case No.421 of 2025, FIR dated 25.10.2025 registered for the offence punishable under Sections 8, 20(B)(ii),22(B) of N.D.P.S.Act.

3. Allegation against the petitioners is that 1.650 Kgs of Ganja was recovered from the house of the petitioners who are uncle and nephew.

4. Learned counsel appearing for the petitioners



submits that the allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. As per allegation in the FIR as well as the seizure list that 1.650 Kgs of Ganja like substance has been recovered from the house of petitioner No.1 and Rs. 1,75,470/- has been recovered from the house of petitioner No.2. Further submits that the recovered contraband is less than the commercial quantity. Hence, there is no embargo under Section 37 of the N.D.P.S.Act for grant of bail to the petitioners. As per allegation of recovery of Rs. 1,75,470/- is concerned the same is belonged to petitioner No.2 and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 25.10.2025.

5. Learned Additional Solicitor General for the Union of India, on the other hand, has vehemently opposed the prayer for bail of the petitioners and submits that the contraband recovered from possession of petitioner No.1 and huge amount has been recovered from possession of petitioner No.2. Further submit that the petitioners carry one more case other than the present one under the Excise Act but fairly submits that the petitioners are on bail the said case, as



mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts and the recovered contraband is less than the commercial quantity, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge (NDPS), Patna in connection with Khusrupur P.S. Case No.421 of 2025, with the following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

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

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall



take step for cancellation of bail bond of the petitioners.
However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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