

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1579 of 2026

Arising Out of PS. Case No.-451 Year-2023 Thana- DANAPUR District- Patna

Chandan Kumar Son of Late Baleshwar Rai Resident of Village -
Bhagwatipur, P.S. - Bihta, Distt. - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 01-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 20, 21 and 22 of the NDPS Act and Section 25 (1-b) a, 26 and 35 of the Arms Act.

3. The case of the prosecution, in brief, is that altogether 275 grams of brown sugar-like contraband was recovered from the rented house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that, upon perusal of the seizure list, the alleged contraband recovered from the rented house of the petitioner has been



marked as Exhibits A, B, C, D, and E. It is further submitted that, as per the FSL report, the contents of Exhibits A1, B1, and C1 revealed the presence of acetaminophen (paracetamol), while morphine was detected in Exhibit B/1, and no narcotic substance was detected in Exhibit E/1. It is contended that only Exhibit D is the contraband, in view of the FSL report which, according to the prosecution case, weighs 54 grams.

5. Learned counsel further submits that no recovery has been made from the conscious possession of the petitioner, as the alleged recovery was effected from a rented house. It is also submitted that all the witnesses to the seizure list are police personnel, and the police have not complied the mandatory provisions of Section 105 of the B.N.S.S. It is further argued that the alleged recovered quantity is more than small quantity but significantly less than commercial quantity. The petitioner is in custody since 12.11.2025 and has criminal antecedents of four cases.

6. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

7. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on



bail in connection with Danapur P.S. Case No. 451 of 2023 on
furnishing bail bond of Rs.10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of learned
Exclusive Special Judge (NDPS Act), Patna/concerned Court.

(Ashok Kumar Pandey, J)

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