

In the Court of Sessions Judge/Special Judge (NDPS), Patna

Bail Application No.- 431/2026

Ajit Kumar Gupta

Petitioner

Vs.

The State of Bihar

Opposite party

Date

O R D E R

07-03-2026

1. This regular bail application is preferred by **Ajit Kumar Gupta**, who is in judicial custody since 29.08.2025, in connection with **Gopalpur P.S. Case No.364/2025 dated 28.08.2025**, registered for offences punishable under Sections 8, 17(c), 18(c), 25, 29, 31, 61 of NDPS Act.
2. Heard Sri Ajay Kumar, learned counsel for the accused-petitioner and Sri Ashok Kumar Sinha, Learned Spl. PP on behalf of the State.
3. The allegation against the accused persons is that 43 kgs of opium was recovered from the possession of the four accused persons including the petitioner.
4. Learned counsel for the petitioner submitted that the petitioner is innocent, committed no offence and has no criminal antecedent. It was further submitted that the petitioner has falsely been implicated in this case and the mandatory provisions of NDPS Act has not been complied by the police. It was next submitted that the alleged recovery is of less than commercial quantity and the alleged sections of FIR are not made out against the petitioner. It was further submitted that co-accused Jayram Bharti has been granted regular bail by the Hon'ble Court. The petitioner is in custody since 29.08.2025. On these grounds, prayed for privilege of regular bail.
5. Per contra, learned Special Public Prosecutor vehemently opposed the bail application and submitted that 43 kgs of opium was recovered from the possession of the four accused persons including the petitioner. The allegation against the petitioner is serious in nature. It was further submitted that

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investigation is still going on and charge sheet is yet to be submitted against this petitioner. Therefore, the petitioner does not deserve the privilege of regular bail.

6. Considering the nature of accusation; quantum of recovery of opium, i.e. 43 kgs, which falls under the category of commercial quantity as per Narcotic Drugs and Psychotropic Substances Act, 1985; severity of punishment in the event of conviction; that investigation is ongoing and chargesheet is awaited, this Court is not inclined to admit the petitioner on bail.
7. Accordingly, this regular bail application filed on behalf of the petitioner **Ajit Kumar Gupta** is hereby **rejected**.

(Dictated)

**(Rupesh Deo)
Sessions Judge/Special Judge (NDPS),
Patna**

Date of Judgment/Order	07.03.2026
Date of Reserving Judgment/ Order	26.02.2026
Uploading Date	07.03.2026
Uploaded by	Abhinav/-