

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

Bail Application No.- 533/2026

Ajit Kumar @ Ajit Baba

Petitioner

Vs.

The State of Bihar

Opposite party

Date

O R D E R

18-03-2026

1. This regular bail application has been preferred by **Ajit Kumar @ Ajit Baba** who is in judicial custody since 15.01.2026, in connection with **Gardanibagh P.S. Case No.45/2026** dated 14.01.2026 registered under Sections 21, 22 (b) 25, 29 of NDPS Act.
2. Heard Sri Ram Chandra Singh, learned counsel for the accused-petitioner and Sri Ashok Kumar Sinha, learned Spl. PP on behalf of the State.
3. The allegation against the petitioner is that 41 sachets containing smack weighing 20 grams were recovered from the possession of petitioner Ajit Kumar @ Ajit Baba with whom the co-accused Raja Kumar and Amar Singh were also apprehended. They disclosed that they procure the contraband from a person at 70 feet and they sell the same.
4. Learned counsel for the petitioner submitted that the petitioner is innocent, committed no offence. It was next submitted that the petitioner has two criminal antecedent in which he is on bail. It was next submitted that the mandatory provisions of NDPS Act has not been complied by the police and no independent witness has supported the case of the prosecution. The petitioners are in judicial custody since 15.01.2026. On these grounds, prayed for privilege of regular bail.
5. Per contra, learned Special Public Prosecutor vehemently opposed the prayer for grant of regular bail to the petitioner and submitted that 41 puriyas of smack weighing 20 grams has been recovered from the possession of the petitioner. The allegation against the petitioner is serious in nature. Also, the petitioner bears two criminal antecedents. It was further submitted that investigation is going on and

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charge sheet is yet to be submitted against this petitioner. The allegation against the petitioner is serious in nature. Therefore, the petitioner do not deserve the privilege of regular bail.

6. Considering the quantum of total recovery of smack, i.e. 20 grams, from the possession of the petitioner, which falls beyond the category of small quantity as per Narcotic Drugs and Psychotropic Substances Act, 1985; submissions of learned Special Public Prosecutor; investigation is ongoing and charge-sheet awaited, this Court is of the opinion that it is not a fit case for grant of regular bail to the petitioner.
7. Accordingly, this regular bail application filed on behalf of the petitioner namely **Ajit Kumar @ Ajit Baba** is hereby **rejected**.

(Dictated)

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

Date of Judgment/Order	18.03.2026
Date of Reserving Judgment/Order	26.02.2026
Uploading Date	18.03.2026
Uploaded by	Abhinav/-