

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

Bail Application No.- 582/2026

Raj Kumar Rai

Petitioner

Vs.

The State of Bihar

Opposite party

Date

O R D E R

30-03-2026

1. This regular bail application is preferred by **Raj Kumar Rai**, who is in judicial custody since 19.02.2026, in connection with **Fathua P.S. Case No.522/2015** dated 02.02.2015, registered for offences punishable under Sections 20/22 of NDPS Act.
2. Heard Sri Vidya Nand Kumar, learned counsel for the accused-petitioner and Sri Ashok Kumar Sinha, learned Spl. PP on behalf of the State.
3. The prosecution case, in brief, is that while patrolling the police reached near Sikandarpur More at about 13:00 hrs the Police signaled co-accused persons to the stop vehicle, but the driver fled away and the pillion rider was apprehended. On inquiry, the apprehended person disclosed his name as Anuj Kumar and upon search, 5 kg Ganja was recovered. During interrogation, he disclosed that the petitioner Raj Kumar Rai was driving the vehicle.
4. Learned counsel for the petitioner submitted that the petitioner is innocent, committed no offence and has two criminal antecedent on which he is on bail. It was further submitted that the petitioner has falsely been implicated in this case on the basis of suspicion and nothing incriminating has been recovered from the possession of the petitioner. It was next submitted that the mandatory provisions of NDPS Act has not been complied by the police. The petitioner is in custody since 19.02.2026. On these grounds, prayed for privilege of regular bail.
5. Per contra, learned Special Public Prosecutor vehemently opposed the bail

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**Contd.....
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application and submitted that 5 Kg Ganja, has been recovered from the possession of the co-accused Anuj Kumar, who disclosed the name of the petitioner as the absconder-driver of the vehicle on which both the accused persons were coming. It was further submitted that investigation is going on and charge sheet is yet to be submitted against this petitioner. Therefore, the petitioner does not deserve bail.

- 6.** Considering the nature of accusation; quantum of recovery, i.e. 5 Kg Ganja, has been recovered from the possession of the co-accused Anuj Kumar, who disclosed the name of the petitioner as the absconder-driver of the vehicle on which both the accused persons were coming, 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 is yet to be submitted, 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 **Raj Kumar Rai** is hereby **rejected**.

(Dictated)

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

Date of Judgment/Order	30.03.2026
Date of Reserving Judgment/Order	26.03.2026
Uploading Date	30.03.2026
Uploaded by	Shanu/-