

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

Bail Application No.-590/2026

Pritam Kumar

Petitioner

Vs.

The State of Bihar

Opposite party

Date

30-03-2026

O R D E R

1. This regular bail application has been preferred by **Pritam Kumar**, who is in judicial custody since 28.12.2025, in connection with **Maner P.S. Case No.975/2025** dated **24.12.2025**, instituted for an offence under Sections 8(C), 18(b), 21(c), 22(b), 22(c), 30, 31, Section 30(a) of Bihar Special Court, Act 2005 and Section 112(2)(a) of Bharatiya Nyaya Sanhita and Section 25(1-B), (a), 26 and 35 of Indian Arms Act.
2. Heard Sri Mohit Raj, 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 on 24.12.2025 the police apprehended the petitioner Pritam Kumar along with other co-accused. On search, 12 puriya of smack weighing 6.36 grams including paper were recovered from the possession of the co-accused Shubham Kumar, 9 puriya weighing 4.72 grams smack were recovered from the possession of co-accused Abhishek Kumar @ Nagendra Rai, 5 puriya weighing 2.68 grams were recovered from the possession of co-accused Abhishek Kumar @ Ramjaypal Rai, 2.05 grams smack were recovered from co-accused Saroj Kumar, 10.20 grams smack were recovered from the possession of petitioner Pritam Kumar and 3.10 grams from his car. On further search, the premises in which the petitioner Pritam Kumar had concealed himself, smack weighing 347.79 grams, one country made pistol with live cartridges and 21.5 liters beer were also recovered. Further, on search of the house linked with the co-accused Shubham Kumar, co-accused Soni Gupta was apprehended while she was trying to flee from the house and 140 grams of smack and 558.90 grams charas, along with Rs.12,16,000/- were recovered.
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 nothing incriminating has been recovered from their possession. It was next submitted that the mandatory provisions of NDPS Act has not been followed by the police and no independent witness has supported the case of the prosecution. The petitioner is in judicial custody since 28.12.2025. 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 10.20 grams smack were recovered from the possession of

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**Contd.....
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petitioner Pritam Kumar, 3.10 grams from his car and on further search, the premises in which the petitioner Pritam Kumar had concealed himself, smack weighing 347.79 grams, one country made pistol with live cartridges and 21.5 liters beer were also recovered. The allegation against the petitioner is serious in nature. It was further submitted that investigation is going on and charge sheet is yet to be submitted against this petitioner. The allegation against the petitioner is serious in nature. Therefore, the petitioner does not deserve the privilege of regular bail.

6. Considering the nature of accusation; recovery of 10.20 grams smack were recovered from the possession of petitioner, 3.10 grams from his car and on further search, the premises in which the petitioner Pritam Kumar had concealed himself, smack weighing 347.79 grams, one country made pistol with live cartridges and 21.5 liters beer were also recovered, which falls under the category of commercial 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 **Pritam Kumar** 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/-