

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

BAIL APPLICATION No.-597/2026

Dinesh Kumar & Anr.

Petitioners

Vs.

The State of Bihar

Opposite party

Date

O R D E R

01-04-2026

1. This regular bail application has been filed on behalf of accused-petitioners **Dinesh Kumar & Nepal Kumar**, who are in custody since 28.01.2026 in connection with **Nadi (Fathua) P.S. Case No.36/2026** dated 27.01.2026, registered under Sections 8, 20(B) i i C of NDPS Act.
2. Heard Sri Ashok Kumar, learned counsel for the accused-petitioners and Sri Ashok Kumar Sinha, Learned Spl. PP on behalf of the State.
3. The allegation against the petitioners is that on 27.01.2026 at about 09:15 AM, during vehicle checking near Six Lane Bridge, Police intercepted a CNG Auto bearing Reg. No.BR01PR-5562 in which the petitioners along with co-accused Sonu Kumar; driver of the said vehicle; was traveling. On search, 13.160 Kg ganja was recovered from a bag kept on the seat of the said vehicle.
4. Learned counsel for the petitioners submitted that the petitioners are innocent, committed no offence and have no criminal antecedent. It was further submitted that the petitioners have falsely been implicated in this case on the basis of suspicion and the petitioners are neither the owner nor the driver of the alleged vehicle. It was next submitted that the mandatory provisions of NDPS Act has not been complied by the police. The petitioners are in custody since 28.01.2026. On these grounds, prayed for privilege of regular bail.
5. On the other hand, learned Special Public Prosecutor vehemently opposed the prayer for grant of bail to the petitioners and submitted that 13.160 Kg

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ganja has been recovered from the possession of the accused persons. It was next submitted that investigation is ongoing and charge sheet is yet to be submitted against this petitioners. The allegation against the petitioners is serious in nature. Therefore, the petitioners do not deserve the privilege of regular bail.

6. Considering the nature of accusation; quantum of recovery, i.e. 13.160 Kg ganja has been recovered from the possession of the accused persons, 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 petitioners.
7. Accordingly, this regular bail application filed on behalf of the petitioners namely **Dinesh Kumar & Nepal Kumar** is hereby **rejected**.

(Dictated)

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

Date of Judgment/Order	01.04.2026
Date of Reserving Judgment/ Order	26.03.2026
Uploading Date	01.04.2026
Uploaded by	Shanu/-