

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

Bail Application No.- 680/2026

Aditya Kumar @ Johnson

Petitioner

Vs.

The State of Bihar

Opposite party

Date

ORDER

18-03-2026

1. This regular bail application has been preferred by **Aditya Kumar @ Johnson**, who is in judicial custody since 10.02.2026, in connection with **City Chowk P.S. Case No.76/2026** dated 03.02.2026, instituted for an offence under Sections 21(b), 28 8A(C) of NDPS Act.
2. Heard Sri Nityanand 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 on 03.02.2026 the police raided and apprehended co-accused Vishal Kumar and Nitish Kumar. It is alleged that co-accused Deepak Kumar managed to escape. During search, 51 grams of smack has been recovered along with a black pulsar motorcycle bearing Reg. No. BR01JS7461, belongs to Vishal Kumar. During interrogation, the co-accused disclosed that the said article belongs to the petitioner Aditya Kumar @ Jhonson and co-accused Suraj Kumar @ Bhainsiya and Radhe Kumar.
4. Learned counsel for the petitioner submitted that the petitioner is innocent 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. Also, it is submitted that the petitioner bears three criminal antecedent in which the petitioner is on bail in all of the three cases. The petitioner is in judicial custody since 10.02.2026. On these grounds, prayed for privilege of regular bail.
5. Per contra, learned Special Public Prosecutor vehemently opposed the prayer for

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**Contd.....
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grant of regular bail to the petitioner and submitted that 51 grams of smack has been recovered from the possession of the accused persons. The allegation against the petitioner is serious in nature and the petitioner bears three criminal antecedent. 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 the privilege of regular bail.

6. Considering the nature of accusation; recovery of 51 grams of smack from the possession of 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; three criminal antecedent of the petitioner; and the 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 **Aditya Kumar @ Jhonson** is hereby **rejected**.

(Dictated)

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

Date of Judgment/Order	18.03.2026
Date of Reserving Judgment/ Order	N/A
Uploading Date	18.03.2026
Uploaded by	Shanu/-