

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

BAIL APPLICATION No.-1191/2026
(Arising out of Rupaspur P.S. Case No.93 of 2026)

Puran Kumar

-----**Petitioner**

Vs.

The State of Bihar

-----**Opposite party**

Date

ORDER

- 06-06-2026**
1. The present application for regular bail has been filed on behalf of the **accused-petitioner, Puran Kumar**, who has been in judicial custody since 17.04.2026 in connection with **Rupaspur P.S. Case No.93/2026** dated 11.02.2026, instituted under **Sections 8(c) and 21(b) of the NDPS Act as well as Section 111 of BNS, 2023**.
 2. Heard Sri Vinod Pandey, learned counsel for the accused-petitioner and Sri Ashok Kumar Sinha, learned Spl. PP on behalf of the State.
 3. The case as alleged in FIR is that on 10.02.2026 at about 22:00 hours, acting on secret information, police raiding team reached near Patliputra Station Railway Road. On noticing the police, co-accused (1) Veer Kumar, (2) Savitri Kumari, and (3) Chanchal Devi (accompanied by two children) attempted to flee but were apprehended. A search of their persons led to recovery of 102.88 grams of heroin. During interrogation, they disclosed that the contraband had been procured from other co-accused, namely Pramod Ray, Raushan Kumar, and Abhay Kumar, for delivery to petitioner Puran Kumar. Consequently, an FIR was lodged against seven accused persons, including the petitioner, for smuggling, illicit sale, and possession of heroin.
 4. Learned counsel for the petitioner submitted that he is innocent and has been falsely implicated. It was argued that no incriminating substance was recovered from his personal possession and that mandatory provisions of the

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NDPS Act were not complied with during investigation. Learned counsel further contended that the petitioner's implication rests solely on the confessional statements of co-accused, and that he has been in custody since 17.04.2026. It was also pointed out that a co-accused has already been granted bail by Hon'ble High Court vide order dated 23.04.2026 in Cr. Misc. No.27383 of 2026, and the petitioner's case is similarly situated, thereby entitling him to the same relief.

5. *Per contra*, the learned Special Public Prosecutor submitted that the recovery of 102.88 grams of heroin is well above the threshold of "small quantity" under the NDPS Act. He further highlighted that the petitioner has six prior criminal antecedents: (i) Rajapakar P.S. Case No.56 of 2021, (ii) Rajapakar P.S. Case No.59 of 2021, (iii) Rajapakar P.S. Case No.204 of 2019, (iv) Rajapakar P.S. Case No.05 of 2019—all under Section 30(a) of the Bihar Prohibition and Excise Act; (v) Bidupur P.S. Case No.348 of 2023 under Sections 341, 323, 307, 326/34 IPC and Section 27 of the Arms Act; and (vi) Rajapakar P.S. Case No.07 of 2018 under Sections 341, 323, 307, 354, 504, 506/34 IPC. It was emphasized that the co-accused who was granted bail had clean antecedent, whereas the petitioner's record distinguishes his case. The prosecution also noted that investigation is still ongoing and the charge sheet has not yet been filed. Given the gravity of the allegations, it was argued that the petitioner does not deserve bail.
6. Having regard to the nature of the accusation: the quantum of recovery of altogether **102.88 grams of heroin is massive beyond the the limit of**

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“small quantity”; the submissions of the Special Public Prosecutor, the petitioner’s prior criminal antecedents, and the fact that investigation is ongoing with the charge sheet yet to be filed, this Court is not inclined to grant of regular bail to the petitioner.

7. Accordingly, the application for regular bail filed on behalf of the petitioner, **Puran Kumar** is rejected.

(Dictated)

Sd/-

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

Date of Order	06.06.2026
Date of Reserving Order	04.06.2026
Uploading Date	06.06.2026
Uploaded by	Santosh/-