

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

**BAIL APPLICATION No.- 1305/2026**  
**(Arising out of Nadi P.S. Case No114/2026)**

**1. Sumit Kumar**  
**2. Krishna Rai**

-----Petitioners

Vs.

**The State of Bihar**

-----Opposite party

**Date**

**ORDER**

**30-05-2026**

1. The present application for regular bail has been filed on behalf of the **accused-petitioners, (1) Sumit Kumar, and (2) Krishna Rai** who incarcerated since 21.03.2026, in connection with **Nadi P.S. Case No. 114/2026** dated 19.03.2026, registered under Sections 8/20(b)(ii)(B) of NDPS Act as well as Section 30(a) of Bihar Prohibition and Excise Act.
2. Heard Sri Gyanendra Kumar Mishra, learned counsel for the accused-petitioners, and Sri Ashok Kumar Sinha, learned Special Public Prosecutor for the State on 26.05.2026. The matter was thereafter fixed for order on 29.05.2026. However, as the Court was not available on the said date, the case was adjourned for today. Since arguments on behalf of both sides have already been concluded, the order is being pronounced today.
3. The prosecution's case, in brief, is that on 19.03.2026, the police received confidential information regarding suspicious goods being unloaded from a truck bearing Registration No. BR-03GC-2941 beneath the Six Lane bridge. Acting upon this tip-off, the police reached the location and found the truck along with three persons Raju Kumar, Krishna Rai, and Sumit Kumar, who attempted to flee but were apprehended. Upon interrogation, it was revealed that the truck was transporting liquor from West Bengal. A search of the vehicle led to the recovery of 10.250 kilograms of ganja and 508.320 litres of English liquor.
4. Learned counsel for the petitioner argued that the petitioners are innocent, have no prior criminal antecedents, and have been falsely implicated. It was further submitted that the petitioner No.1 being the transporter and petitioner No.2, being the owner of the truck, had no knowledge of the contraband and liquor being transported and they were not

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apprehended on the spot; seizure allegedly effected. Learned counsel also contended that the mandatory provisions of the NDPS Act were not duly complied with during the investigation. The petitioners have been in judicial custody since 21.03.2026, and on these grounds, a prayer was made for grant of regular bail.

5. *Per contra*, learned Special Public Prosecutor opposed the bail application, submitting that the recovery of 10.250 kilograms of ganja and 508.320 litres of English liquor, from the truck allegedly petitioners are transporter and owner respectively, is far above the threshold of small quantity under the NDPS Act. It was further argued that the investigation is still in progress and the charge sheet is yet to be filed. Considering the gravity of the allegations, it was urged that the petitioners are not entitled to regular bail.
6. Having regard to the nature of the accusation; the quantum of recovery of **10.250 kilograms of ganja** (well beyond the threshold of small quantity under the Narcotic Drugs & Psychotropic Substances Act) as well as huge quantity of 508.320 litres of English liquor; the submissions advanced by the learned Special Public Prosecutor; and the fact that investigation is ongoing with the charge sheet yet to be filed; this Court is of the view that the present case does not warrant grant of regular bail.
7. Accordingly, the application for regular bail filed on behalf of the **petitioners, Sumit Kumar and Krishna Rai** stands rejected.

(Dictated)

Sd/-

(Rupesh Deo)

Sessions Judge/Special Judge (NDPS),  
Patna

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|-------------------------|------------|
| Date of Order           | 30.05.2026 |
| Date of Reserving Order | 26.05.2026 |
| Uploading Date          | 30.05.2026 |
| Uploaded by             | Santosh/-  |