

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

Anticipatory Bail Application No.-2226 of 2026
(Arising out of City Chowk P.S. Case No.254 of 2026)

Nirdosh Kumar

-----**Petitioner**

Vs.

The State of Bihar

-----**Opposite party**

Date

ORDER

30-05-2026

1. The present application for anticipatory bail has been filed by the **petitioner, Nirdosh Kumar**, who apprehends arrest in connection with **City Chowk P.S. Case No. 254/2026** dated 13.05.2026, registered under Sections 8(c)/21(b)/29 of NDPS Act.
2. Heard Sri Mantesh Kumar, learned counsel for the accused-petitioner and Mr. Ashok Kumar Sinha, learned Spl. PP on behalf of the State 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 allegation as per prosecution in brief, is that on 13.05.2026 at approximately 6:30 AM, acting on the instructions of the SHO, a police team reached Hari Mandir Gali. Upon noticing the police, co-accused Renu Devi along with Vikash Kumar attempted to flee but were apprehended. A search of their persons led to the recovery of 36 grams of heroin and ₹1100 from Renu Devi, and 24 grams of heroin from Vikash Kumar. On interrogation, they disclosed with regard to involvement of the petitioner, Nirdosh Kumar who influenced them to procure contraband from Silchar (Asam) in exchange of ₹15000. In total, 60 grams of heroin was allegedly seized.
4. Learned for the petitioner argued that she is innocent, has no prior criminal record, and has been falsely implicated. It was further submitted that nothing has been

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Contd.....
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recovered from the possession of the petitioner, and that the investigating agency failed to comply with the mandatory provisions of the NDPS Act. On these grounds, the petitioner sought protection by way of anticipatory bail.

5. *Per Contra*, learned Special Public Prosecutor opposed the bail application, contending that the collective recovery of 60 grams of heroin (exceeds the threshold of “small quantity” under the NDPS Act) was procured on instance of the petitioner. He further submitted that the investigation is still in progress and the charge sheet is yet to be filed. Considering the gravity of the allegations, it was submitted that the petitioner is not entitled to anticipatory bail.
6. Having regard to the nature of the offence; the quantum of recovery of **60 grams of heroin**, which far exceeds the threshold of small quantity under the Narcotic Drugs & Psychotropic Substances Act; the submissions advanced by the learned Special Public Prosecutor; and the fact that investigation is ongoing with charge sheet yet to be filed; this Court is of the view that the case does not warrant grant of anticipatory bail. Accordingly, the Court is not inclined to extend such privilege to the petitioner.
7. The application for anticipatory bail filed on behalf of the **accused-petitioner Nirdosh Kumar**, stands **rejected**.

(Dictated)

Sd/-

(Rupesh Deo)

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

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