

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

BAIL APPLICATION No.- 1390/2026
(Arising out of By-Pass P.S. Case No.175/2026)

1. Pappu Kumar

2. Dharmendra Kumar

-----Petitioners

Vs.

The State of Bihar

-----Opposite party

Date

ORDER

16-06-2026

- 1.** The present application for regular bail has been filed on behalf of the **accused-petitioners namely, Pappu Kumar and Dharmendra Kumar**, who are incarcerated in judicial custody since 10.05.2026 in connection with **By-Pass P.S. Case No. 175/2026** dated 09.05.2026, registered **under Sections 8/20(b)(ii)(B) of the NDPS Act.**
- 2.** Heard Sri Barunendra Prasad Singh, learned counsel for the accused-petitioner and Sri Ashok Kumar Sinha, learned Spl. PP on behalf of the State.
- 3.** The case of the petitioners is that on 09.05.2026, at about 08:35 hours, acting upon secret information, the police reached near the Agro Goods Kurkure Factory. On noticing the police, both petitioners attempted to flee but were apprehended. A search of their persons led to the recovery of **10.295 kilograms of ganja**, which was kept in a white bag. The recovered contraband was weighed, seized, and duly documented in the seizure memo.
- 4.** Learned counsel for the petitioners argued that they are innocent and have been falsely implicated in the present matter merely on suspicion. It was submitted that petitioner no.1 has no prior criminal record, while petitioner no.2 has only one antecedent, and no incriminating material was recovered from either of them. Learned counsel further pointed out that the petitioners have been in judicial custody since 10.05.2026. Although 10.295 kilograms of ganja was allegedly seized, the specific quantity attributed to each petitioner has not been specified. It was also contended that the mandatory safeguards under the NDPS Act were not properly

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observed during the investigation. On these grounds, a plea was made for grant of regular bail.

5. On the other hand, the learned Special Public Prosecutor vehemently opposed the bail application, asserting that 10.295 kilograms of ganja was recovered from the petitioners' possession. It was emphasized that the investigation is ongoing and the charge-sheet has not yet been filed. Given the seriousness of the allegations and the recovery made, the prosecution argued that the petitioners are not entitled to bail.
6. Considering the nature of the accusation, the quantum of recovery, i.e., **10.295 kilograms of ganja** which far exceeds the threshold of 'small quantity' under the NDPS Act; the rival submissions of learned counsel for the parties; and the fact that the investigation is ongoing and the charge-sheet is yet to be filed, this Court is not inclined to grant regular bail to the petitioners.
7. Accordingly, the regular bail application filed on behalf of petitioners namely **Pappu Kumar and Dharmendra Kumar**, stands **rejected**.

(Dictated)

Sd/-

(Rupesh Deo)

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

Date of Order	16.06.2026
Date of Reserving Order	11.06.2026
Uploading Date	16.06.2026
Uploaded by	Santosh/-