

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

BAIL APPLICATION No.- 1432/2026
(Arising out of Gardanibagh P.S. Case No.457/2026)

Suraj Kumar

-----**Petitioner**

Vs.

The State of Bihar

-----**Opposite party**

Date

ORDER

18-06-2026

1. The present application for regular bail has been filed on behalf of the **accused-petitioner, Suraj Kumar**, who is in judicial custody since 29.05.2026 in connection with **Gardanibagh P.S. Case No. 457/2026** dated 28.05.2026, registered **under Sections 21, 22(b), 25, and 29 of the NDPS Act**.
2. Heard Sri Sanjay Kumar, learned counsel for the accused-petitioner and Sri Ashok Kumar Sinha, learned Spl. PP on behalf of the State.
3. The prosecution case is that on 28.05.2026, at approximately 18:00 hours, acting upon secret information, the police conducted a raid near Road No. 21, in front of St. Anthony School, Gardanibagh, Patna. On noticing the police, petitioner attempted to flee but was apprehended. A search of his pant pocket allegedly yielded **23 sachets of smack weighing 7.13 grams**, cash of ₹1,150/-, two mobile phones, and one wristwatch.
4. Learned counsel for the petitioner argued that the petitioner is innocent, has no prior criminal antecedent, and has been falsely implicated on suspicion. It was further submitted that no incriminating article has been recovered from conscious possession of the petitioner. Learned counsel further contended that the petitioner has been in judicial custody since 29.05.2026 and that the mandatory provisions of the NDPS Act were not duly complied with 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 opposed the bail application, asserting that **7.13 grams of smack** was recovered from the petitioner's possession.

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Contd.....
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The prosecution emphasized that the investigation is going on and the charge-sheet has not yet been filed. Considering the nature of allegation, the quantum of recovery effected, and the stage of investigation, it was argued that the petitioner is not entitled to the concession of bail.

6. Considering the nature of the accusation, the quantum of recovery, i.e., **7.13 grams of smack**, which exceeds the threshold of 'small quantity' under the NDPS Act; the submissions of learned Special Public Prosecutor; and the fact that the investigation is going on and the charge-sheet is yet to be filed, this Court is not inclined to grant bail to the petitioner.
7. Accordingly, the regular bail application filed on behalf of the **petitioner, Suraj Kumar**, stands **rejected**.

(Dictated)

Sd/-

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

Date of Order	18.06.2026
Date of Reserving Order	16.06.2026
Uploading Date	18.06.2026
Uploaded by	Santosh/-