

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

BAIL APPLICATION No.- 1644/2026
(Arising out of Dhanarua P.S. Case No.391/2026)

Sahil Kumar

-----**Petitioner**

Vs.

The State of Bihar

-----**Opposite party**

Date

ORDER

07-07-2026

- 1.** The present application for regular bail has been filed on behalf of the **accused-petitioner, Sahil Kumar**, who is in custody since 16.06.2026, in connection with **Dhanarua P.S. Case No. 391/2026** dated 15.06.2026, registered under Sections **8(c), and 21(b) of the NDPS Act**.
- 2.** Heard Sri Kumar Chandra Shekhar, learned counsel for the accused-petitioner and Sri Ashok Kumar Sinha, learned Spl. PP on behalf of the State.
- 3.** The case of the prosecution as alleged in FIR is that on 15.06.2026 at about 12:30 PM, during routine vehicle check near Bhakhri Bridge on State Highway-01, a black Hero Passion Pro motorcycle bearing registration no. BR 02AH 0957, enroute from the Patna side, was intercepted. The motorcycle was carrying two persons, namely Sahil Kumar (petitioner) and co-accused Sunny Kumar. On noticing the police party, both attempted to flee but were chased and apprehended on the spot. It is alleged that both accused persons appeared to be under the influence of intoxication. During search of co-accused Sunny Kumar, a small packet containing brown sugar weighing approximately 5.30 grams was recovered from the pocket of his trousers. The contraband was seized on the spot in accordance with due procedure, and a seizure list was prepared. Consequently, both petitioner

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and co-accused have been arraigned in the present case under the provisions of the NDPS Act.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case. It was further contended that a juvenile case, being J.J.B. Case No. 54/2026, is pending against him before the Juvenile Justice Board, Patna City. However, no alleged narcotic substance was recovered from his possession. It was also contended that the mandatory provisions of the NDPS Act were not duly complied with by the investigating authorities. The petitioner has remained in judicial custody since 16.06.2026. On these grounds, a prayer was made for grant of regular bail.
5. *Per contra*, the learned Special Public Prosecutor opposed the bail application, contending that the recovery of 5.30 grams of brown sugar exceeds the small quantity threshold. It was further submitted that J.J.B. Case No. 54/2026 is pending before the J.J.B., Gaighat, Patna. It was also pointed out that the investigation is still in progress and the charge-sheet has not yet been filed. In view of the nature of the allegation, it was argued that the petitioner is not entitled to the grant of regular bail.
6. In view of the nature of the accusation, the quantum of brown sugar recovered from the accused persons when they were intercepted while riding a motorcycle (which exceeds the threshold of small quantity under the NDPS Act), the submissions advanced by the learned Special Public

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Prosecutor, the petitioner's prior criminal antecedent, and the fact that the investigation is still going on with the charge sheet yet to be filed, this Court is not inclined to grant bail to the petitioner.

- 7.** Accordingly, the application for regular bail filed on behalf of the petitioner, **Sahil Kumar**, stands **rejected**.

(Dictated)

Sd/-

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

Date of Order	07.07.2026
Date of Reserving Order	02.07.2026
Uploading Date	07.06.2026
Uploaded by	Santosh/-