

IN THE COURT OF SESSIONS JUDGE/SPECIAL JUDGE (NDPS), PATNA

BAIL PETITION NO.-1895/2026
(Arising out of Bahadurpur P.S. Case No.157 of 2026)

Mantu Kumar

-----Petitioner

Versus

The State of Bihar

On behalf of the Petitioner - Ld. Counsel, Sri Ranjeet Kumar

On behalf of the State - Ld. Special P.P. Sri Ashok Kumar Sinha

Date

ORDER

- 11-08-2026**
1. The present regular bail petition has been filed on behalf of the **accused-petitioner, Mantu Kumar**, who incarcerated in judicial custody since 14.04.2026 in connection with **Bahadurpur P.S. Case No.157/2026** dated 19.04.2026, registered under **Sections 21/22(c) of the NDPS Act**.

PROSECUTION CASE

2. The prosecution case, in brief, is that on 19.04.2026, at about 10:00 A.M., Drug Inspector Pankaj Kumar received information from Musallahpur Police Station regarding the illegal sale of narcotic injections. A raiding team was constituted, which proceeded to Musallahpur Police Station and thereafter towards the area behind Bakri Mandi. At about 12:15 P.M., upon seeing the raiding party, one person attempted to flee but was apprehended and disclosed his name as co-accused Chhotu Kumar. A black plastic bag and a carton containing JCB brand Buprenorphine Hydrochloride IP injections were recovered from his possession. Initially, 2,000 ampoules, each containing 0.6 mg of **Buprenorphine Hydrochloride**, were seized, amounting to a total quantity of **1,200 mg (2,000 × 0.6 mg)**. The requisite notice under the NDPS

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Act was served. As the independent witnesses declined to participate in the seizure proceedings, police personnel were made witnesses. During his personal search, ₹2,100/- was also recovered from the pocket of Chhotu Kumar. Upon interrogation, Chhotu Kumar allegedly disclosed that the injections were being supplied by **Mantu Kumar (Petitioner)** and that their storage and supply were being facilitated by his landlord, Vinod Prasad (Co-accused). Acting upon the said disclosure, the raiding party proceeded to the premises so disclosed, whereupon 16 additional cartons containing **JCB brand Buprenorphine Hydrochloride IP injections** were recovered. Thus, in all, 17 cartons containing 34,000 ampoules, each containing 0.6 mg of **Buprenorphine Hydrochloride**, were seized, constituting **a total quantity of 20.4 grams**. In addition, **1,800 ampoules of Avil Injection** were also recovered. Consequently, an FIR was registered against the **petitioner, Mantu Kumar**, along with co-accused **Chhotu Kumar and Vinod Prasad**, alleging their involvement in the illegal possession, storage, supply and sale of narcotic/psychotropic injections, thereby attracting the relevant provisions of the NDPS Act.

SUBMISSION OF PETITIONER

3. Learned counsel for the petitioner submitted that no bail application has earlier been filed on behalf of the petitioner either before this Court or before the Hon'ble High Court at Patna. It is further submitted that the petitioner is innocent and has been falsely implicated in the present case. It was contended that the mandatory provisions of the NDPS Act were not complied with during the course of investigation. Learned counsel further submitted that the petitioner

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has two criminal antecedents, namely: (i) Kankarbagh P.S. Case No. 1190/2025, registered under Sections 8(c)/21(b)/22(b) of the NDPS Act and Section 30(a) of the Bihar Prohibition and Excise Act; and (ii) Chitragupta Nagar P.S. Case No. 112/2026, registered under Sections 8(c)/21(c)/22(c), 25 and 29 of the NDPS Act. Learned counsel for the petitioner further contended that the petitioner has been implicated in the present case solely on the basis of the confessional statement of a co-accused and that no narcotic substance has been recovered from his personal possession. It was further submitted that the petitioner was remanded in the present case on 09.07.2026 and has remained in judicial custody since then. On the aforesaid grounds, learned counsel for the petitioner prayed for grant of regular bail.

SUBMISSION OF STATE

4. *Per contra*, the learned Special Public Prosecutor vehemently opposed the prayer for regular bail.

DISCUSSION

5. Heard the learned counsel for the parties and perused the record. It has been alleged that **34,000 ampoules of Buprenorphine Hydrochloride Injection, containing a total of 20.4 grams of the substance, along with 1,800 ampoules of Avil Injection**, have been recovered, which fall within the category of “**commercial quantity**” prescribed under the Narcotic Drugs and Psychotropic Substances Act. Having regard to the submissions advanced by the learned Special Public Prosecutor, the petitioner’s two previous criminal antecedents relating to offences under the NDPS Act, the allegation that the recovered contraband was being supplied by the petitioner, Mantu Kumar and that the petitioner was actively involved in the illegal possession and

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trafficking of the recovered psychotropic substance, the rejection of the regular as well as anticipatory bail applications of the co-accused by this Court vide order dated 27.05.2026 passed in B.P. No. 1116 of 2026 and order dated 27.05.2026 passed in A.B.P. No. 1993 of 2026 and the fact that the investigation is still in progress and the charge-sheet is yet to be filed, this Court is of the considered view that the present case does not warrant the grant of regular bail.

RESULT

6. Accordingly, this regular bail petition filed on behalf of the **petitioner, Mantu Kumar** is hereby **rejected**.

This order is dictated and corrected by me.

Sd/-

(Anamika T.)
Sessions Judge/Special Judge (NDPS),
Patna

Date of Order	11.08.2026
Date of Reserving Order	NA
Uploading Date	12.08.2026
Uploaded by	Santosh Kumar