

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

BAIL PETITION NO.-1898/2026
(Arising out of Nadi P.S. Case No.278/2026)

Ramesh Kumar @ Ramesh Mahto

-----**Petitioner**

Versus

The State of Bihar

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

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

Date

ORDER

14-08-2026

1. The present regular bail petition has been filed on behalf of the accused-petitioner, Ramesh Kumar @ Ramesh Mahto, who has been in judicial custody since 10.07.2026 in connection with Nadi P.S. Case No. 278 of 2026, dated 09.07.2026, registered for the offences punishable under Sections 8(c) and 21(b) of the NDPS Act.

PROSECUTION CASE

2. The prosecution case, in brief, is that on 09.07.2026 at about 09:45 hours a secret information was received that absconding accused Ramesh Kumar alias Ramesh Mahto in connection with Nadi P.S. Case No. 277 of 2026 was sitting near the tower at Tedhipul and was engaged in the sale and purchase of heroin. Accordingly, at about 10:40 hours the raiding team reached near the tower at Tedhipul and saw a person attempting to flee on seeing the police party but was chased and apprehended. On inquiry, he disclosed his identity as Ramesh Kumar alias Ramesh Mahto. After being informed of the provisions of Section 50 of the NDPS Act, he opted to have his search conducted before a Magistrate. During the course of search, 86 small plastic

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containers containing a substance suspected to be smack weighing 31 grams including the weight of the plastic containers were recovered from the pocket of his trousers. The recovered articles were duly seized and sealed and a seizure list was prepared. Consequently, the petitioner was prosecuted in the present case for his alleged involvement in the sale and possession of a narcotic substance.

SUBMISSIONS OF THE PETITIONER

- 3.** Learned counsel appearing on behalf of the petitioner submitted that no bail application has previously 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 has two criminal antecedents (i) Nadi P.S. Case No. 355 of 2025 under Section 21(a) of the NDPS Act and Sections 25(1-B) (a), 26 and 35 of the Arms Act and (ii) Nadi P.S. Case No. 277 of 2026 under Sections 8(c) and 21(b) of the NDPS Act. It has further been submitted that the petitioner is innocent and has been falsely implicated in the present case with an ulterior motive. It is also contended that no incriminating material was recovered from the possession of the petitioner. It was also contended that the mandatory provisions of the NDPS Act were not complied with during the course of investigation. It is also submitted that the petitioner has remained in judicial custody since 10.07.2026. On the aforesaid grounds, learned counsel for the petitioner prays for grant of regular bail.

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SUBMISSIONS OF THE STATE

4. On the other hand, learned Special Public Prosecutor vehemently opposes the prayer for regular bail and submitted that considering the nature of the allegations and the recovery made from the possession of the petitioner, he does not deserve the privilege of bail.

DISCUSSION

5. Heard learned counsel for the parties and perused the case record. It is alleged that on the basis of secret information, the raiding party chased and apprehended the petitioner and recovered 31 grams of the contraband including the weight of the plastic containers from his conscious possession. In paragraph-31 of the case diary, the Investigating Officer has recorded two criminal antecedents of the petitioner relating to offences under the NDPS Act as well as the Arms Act.
6. Having regard to the nature and gravity of the accusations, the recovery of 31 grams including the weight of the plastic containers from the petitioner's possession falls within the category of **“intermediate quantity”** prescribed under the NDPS Act, the submissions advanced by the learned Special Public Prosecutor, the previous criminal antecedents of the petitioner relating to offences under the NDPS Act and the fact that the investigation is still in progress and the charge-sheet has not yet been submitted, this Court is of the considered view that the petitioner does not deserve the privilege of regular bail.

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RESULT

7. Accordingly, the present regular bail petition filed on behalf of the petitioner,
Ramesh Kumar @ Ramesh Mahto, stands rejected.

This order is dictated and corrected by me

Sd/-

(Anamika T.)
Sessions Judge/Special Judge (NDPS),
Patna
14.08.2026

Date of Order	14.08.2026
Date of Reserving Order	11.08.2026
Uploading Date	14.08.2026
Uploaded by	Santosh Kumar