

(2026:JHHC:16643)

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 5012 of 2026

Umesh Kumar, aged about 32 years, s/o Balrup Paswan, r/o
Village-Gamhari, P.O.-Kaithi, P.S.-Obra, Dist.-Aurangabad,
Bihar -824124 ... Petitioner

Versus

The State of Jharkhand ... Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Om Prakash, Advocate
For the State : Mr. Bhola N. Ojha, Spl. P.P.

Order No.02 Dated- 10.06.2026

Heard the parties.

The petitioner has moved this Court for grant of bail in connection with Rail (Hatia) P.S. Case No.16 of 2025(N) registered for the offences punishable under sections 20(b) (ii) (c)/29 of N.D.P.S. Act.

This is the second journey of the petitioner with the prayer for regular bail and earlier the prayer for regular bail of the petitioner was rejected vide order dated 12.02.2026 in B.A. No. 12043 of 2025. Learned counsel for the petitioner submits that the only fresh ground is that co-accused from whose possession 15 kg of *Ganja* was recovered has been admitted to bail by a coordinate Bench of this Court vide order dated 18.02.2026 in B.A. No. 10916 of 2025. It is further submitted that the allegations against the petitioner are all false. Hence, it is submitted that the petitioner be admitted to bail.

The learned Spl. P.P. on the other hand vehemently opposes the prayer for bail and submits that keeping in view the fact that altogether 25 kg of *Ganja* was recovered in connection with this case, the same comes under commercial quantity and the coordinate Bench in B.A. No. 10916 of 2025 without recording any satisfaction as required under Section 37 of N.D.P.S. Act has granted bail to the co-accused person therefore, the principle of

parity is not attracted in this case. Hence, it is submitted that the petitioner ought not be admitted to bail.

Considering the serious nature of allegation against the petitioner of being involved in sale and purchase of *Ganja* of 25 kg, which comes under commercial quantity; in absence of any material to suggest that the petitioner is not guilty of the offence and that he is not likely to commit any offence while on bail, this Court is of the considered view that this is not a fit case where the abovenamed petitioner be admitted to bail at this stage. Accordingly, the prayer for bail of the abovenamed petitioner is rejected.

(Anil Kumar Choudhary, J.)

10.06.2026
Gunjan-