

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3957 of 2025

Arising Out of PS. Case No.-357 Year-2024 Thana- RAXAUL District- East Champaran

Sonu Jaiswal S/o Jai Prakash Jaiswal Resident of Mohalla - Mishra Colony,
Ward No. 04, O.P. - Haraiya, P.S. - Raxaul, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 27-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with Raxaul P.S. Case No. 357 of 2024 registered for the offences punishable under Sections 20(b)(ii)(c), 22(c), 23, 25 and 29 of the NDPS Act.

3. The prosecution case, in short, is that, there is recovery of 1.465 kg of Charas and huge quantity of intoxicant medicines from the possession of co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner also submits that the petitioner was not present at the place of occurrence. Name



of the petitioner has transpired in this case on the basis of confessional statement made by co-accused persons as the supplier of the alleged contraband and the same has got no evidentiary value. It is next submitted that the petitioner has got no concern with the alleged recovery of the seized articles. The petitioner has got one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner. Learned A.P.P. submits that the petitioner being party to the criminal conspiracy, as also the recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act.

6. Considering the aforesaid facts and circumstances of the case, recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act and the petitioner being party to the criminal conspiracy, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

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