

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14011 of 2025

Arising Out of PS. Case No.-549 Year-2024 Thana- BIHTA District- Patna

Rohit Kumar Son of Shri Jitendra Rai @ Bhuwar Resident of Village-
Raghopur, PS- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-06-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner petitioner is apprehending his arrest in a case in connection with Bihta P.S. Case No. 549 of 2024 dated 21.06.2024 registered for the offences punishable under Sections 8(c), 20, 21 and 22 of the N.D.P.S. Act.

3. As per the prosecution case, total 63.490 grams of brown sugar and Rs. 2240/- were recovered from the possession of the co-accused, Bipin Kumar, who disclosed the name of the petitioner who fled away. Also a motorcycle was recovered, upon asking.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. It is further submitted that the co-accused, Bipin Kumar disclosed that the said motorcycle belongs to the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. The seized contraband is less than commercial quantity. The petitioner has no concern with the alleged recovery. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. Learned APP for the State has also placed reliance on the judgment of the Hon'ble Supreme Court in the case of *Anarul SK Vs. The State of West Bengal*, passed in *S.L.A (Crl.) No(s). 12621/2024, arising out of impugned final judgment and order dated 08.07.2024 in CRM (NDPS) No. 943/2024* passed by the High Court at Calcutta has held that "The grant of anticipatory bail in cases involving Narcotic Drugs and Psychotropic Substances (NDPS) is a very serious issue. We, therefore, direct the State to consider as to whether it proposes to file an application for the cancellation of bail granted to the other co-accused."

6. Considering the aforesaid facts and circumstances of the case, I am of the view that no case for grant of anticipatory bail is made out and the same is disposed of with



direction to the petitioner to surrender before the Court below concerned within six weeks from today and pray for regular bail and the learned Court below shall consider the prayer for regular bail of the petitioner on the same day without being prejudiced by this order.

7. The application stands disposed of.

(Chandra Prakash Singh, J)

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