

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14035 of 2025

Arising Out of PS. Case No.-1009 Year-2024 Thana- MASAUDHI District- Patna

Vivek Kumar Son of Vinay Kumar Resident of Jawarpur Jamui, P.S. - Dulhin
Bazar, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-05-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Mr. Chandra Bhushan Prasad.

2. The petitioner apprehends his arrest in connection
with Masaurhi P.S. Case No. 1009 of 2024 registered for the
offences punishable under Section 132 of BNS read with
Sections 8, 8(c), 20b(ii)(A) and 21(b) of NDPS Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that five accused were apprehended from whose
possession, 6.47 gram of smack along with 40 gram of ganja
was recovered and the apprehended accused persons disclosed
that petitioner supplies the narcotics and his motorcycle is also
lying at the place of occurrence.

4. Learned counsel for the petitioner submits that



petitioner was not apprehended from the spot, as such, nothing was recovered from his conscious possession and his name transpired in the confessional statement of apprehended accused which is not admissible in evidence. It is reiterated and submitted that petitioner is a person with clean antecedent.

5. Learned A.P.P. for the State, Mr. Chandra Bhushan Prasad, opposes the prayer for anticipatory bail of the petitioner and submits that of late in the State of Bihar, smack and ganja have come in vogue and has become an easy source of livelihood for those who supply and the petitioner is alleged to be the supplies of the narcotics to the apprehended accused. It is fairly submitted that no doubt the name of the petitioner transpired in the confessional statement of the apprehended accused, but then his motorcycle was also seized from the place of occurrence which, for the present, connects the petitioner with the offence, as such, it is submitted that it is not a fit case where privilege of anticipatory bail be granted. The learned APP further submits that it is not a chance that motorcycle of the petitioner was found at the place of occurrence from where the accused persons were apprehended, it is also submitted that since the apprehended accused disclosed the name of the petitioner that amply demonstrates that they were known to the



petitioner.

6. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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