

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18883 of 2025

Arising Out of PS. Case No.-988 Year-2024 Thana- JAHANABAD District- Jehanabad

Mohit Kumar Son of Dharmendra Prasad Resident Of Village- Panch
Mohalla, Ps -Jehanabad, Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 15-05-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 8(c), 21(a)
and 29 of the NDPS Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and the informant alleges
that while he was on patrolling duty when Sunny was
apprehended with 5 gram of smack kept in 36 packets and he
disclosed that his elder brother Santosh runs a syndicate which
sells smack and petitioner is part of the same.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in instant case by the
informant based on confessional statement of Sunny for the



reason that petitioner carries one antecedent under the NDPS Act in which he is on bail. It is further submitted that elder brother of Sunny namely Santosh had approached this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 26690 of 2025 and the same was allowed by an order dated 25.04.2025 passed by a learned Co-ordinate Bench.

5. The learned counsel for the petitioner, thus, submits that case of the petitioner is on a better footing than Santosh and Santosh also had one antecedent under the NDPS Act.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner and taking into consideration the order dated 25.04.2025 in Criminal Miscellaneous No. 26690 of 2025, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on **Provisional anticipatory bail** on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Jehanabad P.S. Case No. 988 of 2024 subject to the conditions as laid down under



Section 438 (2) of the Cr.P.C.

8. One of the bailors of the petitioner shall be his father namely Dharmendra Prasad.

9. It is made clear that the learned Trial Court after accepting the provisional anticipatory bail bonds of the petitioner shall verify the criminal antecedent of Santosh and in the event if it is found that Santosh had antecedent under the NDPS Act, in that event the provisional anticipatory bail granted to the petitioner herein shall be confirmed, but in the event if it is found that Santosh did not had any antecedent under the NDPS Act in that event the provisional anticipatory bail granted to the petitioner herein shall not be confirmed.

(Satyavrat Verma, J)

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