

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26995 of 2025

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

Vikash Kumar S/O Puna Chaudhary Resident Of Village- Naya Tola
Jehanabad, Ps- Jehanabad, P.S. and Dist.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Neeraj, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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

ORAL ORDER

2 25-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Jehanabad P.S. Case No. 988 of 2024 registered for the
offences punishable under Sections 8(c), 21(a) & 29 of the
NDPS Act.

3. Prosecution case in short is that there is recovery of
5 gram smack from the possession of co-accused, namely,
Sunny, who disclosed the name of the petitioner as one of the
associates of the syndicate.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.



Charge sheet is submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner submits that petitioner has no concern with the recovered contraband. The recovered contraband is below the commercial quantity. Hence, Section 37 of the NDPS Act is not applicable in the present case. Petitioner has four criminal antecedents but, in all of them, he is on bail. There is no compliance of Sections 42 and 50 of the NDPS Act. Other co-accused has been granted bail by this Court vide order dated 12-02-2025, passed in Cr. Misc. No. 5822 of 2025. Co-accused Rita Devi has also been granted privilege of anticipatory bail by this Court vide order dated 28.02.2025 passed in Cr. Misc. No. 13321 of 2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the rival submissions made by the learned counsel for the parties, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the



case is pending/successor court in connection with Jehanabad
Town P.S. Case No. 988 of 2024, subject to the conditions as
laid down under Section 482 (2) of the BNSS, 2023.

(Rudra Prakash Mishra, J)

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