

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31270 of 2025**

Arising Out of PS. Case No.-234 Year-2024 Thana- JANTA BAZAR District- Saran

Vijay Kumar S/o Nagnarayan Bhagat R/o Village- Dandaspur, P.S.- Janta Bazar, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Sharma, Sr. Advocate

Mr. Rakesh Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 30-07-2025 Heard Mr. Rama Kant Sharma, learned Senior
counsel for the petitioner and Mr. Nirmal Kumar Sinha, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Janta Bazar P.S. Case No. 234 of 2024, F.I.R. dated 08.11.2024 for the offences punishable under Sections 8, 20(B)(ii)(c), 29 of the N.D.P.S. Act.

3. According to prosecution case, on 08.11.2024 at 6 PM, Janta Bazar SHO Tuntun Kumar and his team were checking vehicles when a four-wheeler tried to flee. After a chase, Pankaj Kumar Singh was caught, who identified the petitioner as the driver who escaped. From the car (BR06BW



2025), police recovered two mobile phones and 30 kg of ganja, which was seized.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent. As per allegation in the F.I.R., altogether 30 kg of ganja was recovered from the vehicle in question. He further submits that one person Pankaj Kumar Singh was apprehended and he has disclosed that Vijay Kumar, who was driver of the vehicle in question, had escaped from the place of occurrence and total 30 kg of ganja in three packets was recovered from the vehicle in question and except the confessional statement of the other co-accused person, no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is embargo under Section 37 of the N.D.P.S. Act to grant the privilege of anticipatory bail to the petitioner and the recovered contraband is more than the commercial quantity.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the



petitioner in connection with Janta Bazar P.S. Case No. 234 of 2024 pending in the Court of learned Sessions Judge, Saran at Chapra.

7. Prayer is refused.

8. However, if the petitioner surrenders within a period of two weeks, the learned Court below shall consider the regular bail petition of the petitioner on its own merit in accordance with law without being prejudiced by any observation in the present order.

(Rajesh Kumar Verma, J)

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