

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35583 of 2025

Arising Out of PS. Case No.-306 Year-2024 Thana- KORHA District- Katihar

Niranjan Kumar S/o Arun Singh @ Arun Kumar R/o Village- Siriya, P.S.-
Dhanarua, Distt- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Chakravarti
For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-08-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Korha P.S. Case No.306/2024, registered for the offences
punishable under Sections 21(c), 22(c), 25 of the N.D.P.S. Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 19920 litres of codeine cough syrup from a pick up
van and Kedi Prasad and Dheeraj Kumar were apprehended.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and seized pick up van
does not belong to him and he came to be implicated based on
confessional statement of apprehended accused in police



custody, which does not have any evidentiary value. It is further submitted that petitioner had an altercation with the apprehended accused some days prior to the occurrence for which he had gone to the police station for instituting an FIR but the same was not instituted despite the apprehended accused had snatched his mobile, as such, the petitioner filed an informatory petition in the Court of learned C.J.M., Patna on 11.11.2024 which was seen by the learned C.J.M. on 14.11.2024. It is further submitted that since petitioner was an inimical term with the apprehended accused as such they implicated.

5. Learned A.P.P. vehemently opposes the prayer for anticipatory bail of the petitioner and submits that commercial quantity of codeine was recovered from the pick up van and the name of the petitioner transpired in the confessional statement of apprehended accused. It is also submitted that it absolutely does not stand to reason that if F.I.R. of the petitioner was not instituted by the police then why he waited for 10 days for filing an informatory petition in the court of learned C.J.M., when the petitioner could have filed an application before the concerned Superintendent of Police, as such, it is submitted that only a defence is being created and the investigation of the case is in its nascent stages.



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

7. The anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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