

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37615 of 2025

Arising Out of PS. Case No.-383 Year-2020 Thana- GHORASAHAN District- East
Champaran

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AJAY PRASAD @ AJAY PRASAD YADAV S/o- Binda Rai resident of
Village- Agarwa PS - Jitna Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-06-2025 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 20, 22 and
23 of the NDPS Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that 16 Kg. of Ganja was recovered from Vikash along
with a motorcycle who disclosed the name of Manish who fled
away and further disclosed that Ganja was given by Ganesh and
petitioner for supplying it to Sunil.

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 he came to be



implicated based on confessional statement of Vikash in police custody which does not have any evidentiary value in the eye of law.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that since there is prohibition in the State of Bihar as such smuggling of narcotics takes place in abundance. It is further submitted fairly that no doubt, the recovered Ganja is of small quantity but then investigation of the case is in its nascent stage and in the event if privilege of anticipatory bail is granted to the petitioner in that event he may abscond.

6. Considering the submissions made by the learned A.P.P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Ghorasahan (Jitna) P.S. Case No. 383 of 2020 pending in the Court of learned Exclusive Special Judge Court No. II, NDPS, East Champaran at Motihari/Successor Court.

7. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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