

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50408 of 2025**

Arising Out of PS. Case No.-123 Year-2025 Thana- MOTIHARI MUFASIL District- East  
Champaran

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Arun Kumar S/o Shambhu Yadav @ Prabhu Prasad @ Umesh Kumar R/o  
Village- Dharhari, P.S.- Chiraiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.  
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

3      11-09-2025                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with in connection with Muffasil P.S. Case No. 123 of 2025 dated 27.02.2025 registered for the offence punishable u/ss 8, 20(b)(ii)(c) of N.D.P.S. Act and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, On information, police reached the place of occurrence and apprehended the co-accused Amit Thakur, who disclosed that on 05.02.2025, on the road going towards Chandrahiya-Govindpur, he and Aditya Kumar Singh @ Ripu Singh chased and stopped a collection agent of a finance company and snatched his bag at gunpoint and in the



bag Rs. 1,35,550/-, a Samsung mobile, bank's fingerprint scanner and a Vivo mobile were kept and he further said that the mobile has been kept in his house. He further disclosed that in that incident liner work was done by Arun Kumar (petitioner) and the weapon used in that incident is in the house of Shalu @ Vishal, Thereafter, at about 23:00 hrs., the informant left the police station for the raid along with the police personnel. On reaching the house of Amit Thakur, during search, the looted Vivo mobile phone was recovered from his house. The co-accused, Amit Thakur further disclosed that he used to smuggle drugs and has kept the same in the house of Shalu @ Vishal co-accused, and the used weapon is also kept in his house. Thereafter, raid was conducted and police recovered three packets of Charas like substance, weighing 1.544 Kgs and a country-made pistol and two live cartridges were recovered from the house of the co-accused Shalu Singh @ Vishal. He further said that the motorcycle, used in the robbery, was recovered from the house of the co-accused Aditya Kumar Singh @ Ripu Singh which was parked at his door.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating article has been recovered from the



conscious possession of the petitioner. The name of the petitioner has sprung up in this case in the confessional statement of the co-accused, Amit Kumar and further told that the petitioner acted as a liner in the aforesaid offence. The petitioner has no concern with alleged recovery. The petitioner has two criminal antecedents in which he is on bail in both cases as stated in para 3 of the bail petition. The co-accused person has already been granted regular bail by this Court vide order dated 28.07.2025 passed in Cr. Misc. No. 44063 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the petitioner was involved in the alleged offence. It is further submitted that the seized contraband is of commercial quantity i.e. 1.544 kgs charas. Learned A.P.P. for the State has relied in the case of **Anarul SK Vs. The State of West Bengal (Special Leave to Appeal (Crl.) No(s). 12621 of 2024.)** in which it is stated by the Hon'ble Supreme Court that *the grant of anticipatory bail in cases involving Narcotic Drugs and Psychotropic Substances (NDPS) is a very serious issue and it further directed the State to consider as to whether it proposes to file an application for the cancellation of bail granted to the other co-accused who has been granted anticipatory bail.*



6. Considering the aforesaid facts and circumstances of the case as well as the seriousness of allegation against the petitioner. It is not fit case for anticipatory bail of the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected and the petitioner is directed to surrender before the Court below concerned within six weeks from the date of this order and pray for regular bail, the learned Court below may consider the prayer for regular bail of the petitioner in accordance with law and on its own merits without being prejudiced by this order.

7. This application is rejected.

**(Chandra Prakash Singh, J)**

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