

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58494 of 2025

Arising Out of PS. Case No.-157 Year-2022 Thana- MURLIGANJ District- Madhepura

Hemant Kumar @ Gaurav Kumar S/O Jay Kishor Yadav R/O Vill.- Ward No
12, Middle Chowk Murliganj, P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-09-2025 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Murliganj P.S. Case No. 157 of 2022, registered for the offences punishable under Sections 20,21 and 22 of the NDPS Act.

3. As per FIR, 5.62 gram of smack was found from the possession of the accused persons.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is falsely been implicated in the present case. It is further submitted that it appears from F.I.R as well as seizure list that altogether 5.62 gram of smack drug was recovered from the apprehended co-



accused, Raju Kumar, Md. Arbaj, Sonu Kumar and Md. Lucky and they have disclosed the name of the petitioner and other accused persons. He further submits that the allegation as alleged in F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. It is further submitted that similarly situated co-accused has been granted anticipatory bail by learned co-ordinate Bench of this Court through Cr. Misc. No. 36352 of 2025 dated 25.06.2025. While concluding arguments, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as the recovery of contraband not appears to be made from the conscious physical possession of this petitioner, coupled with the fact that other similarly situated has been granted anticipatory bail by one of the learned co-ordinate Bench of this Court as discussed aforesaid, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond



of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge -III, Madhepura /concerned Court, where the case is pending in connection with Murliganj P.S. Case No. 157 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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