

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63898 of 2025

Arising Out of PS. Case No.-98 Year-2025 Thana- INDUSTRIAL District- Bhagalpur

Shubham Kumar son of Pappu Singh R/o Village -Nayatola Mirachak, PS -
Industrial Area, District -Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2025 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 21(a) and
22 of the NDPS Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on information he along with the police force started
vehicle checking and stopped a motorcycle and apprehended
Prince Kumar and Nishant Kumar and from possession of
Prince Kumar five grams brown sugar was recovered while
from Nishant Kumar two mobiles were recovered. Further,
Prince Kumar disclosed that he purchased brown sugar from the
petitioner and Nishant Kumar disclosed that petitioner gives
Rs.300/- per day along with two pouches for his daily use and



along with Prince Kumar sells brown sugar and once he was arrested in a case of brown sugar also.

4. Learned counsel for the petitioner submits that petitioner has been implicated in the case based on the confessional statement of apprehended accused in police custody which does not have any evidentiary value in the eye of law. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that brown sugar was recovered from the possession of Prince Kumar and petitioner was not even present at the place of occurrence.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that it is a case under the NDPS Act and brown sugar is alleged to have been recovered from Prince Kumar and based on the confessional statement of Prince Kumar and Nishant Kumar, the name of the petitioner transpired and the investigation of the case is in its nascent stages.

6. Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Industrial Area P.S. Case No. 98 of 2025 pending in the Court of learned Principal Sessions Judge, Bhagalpur/Successor Court.



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

(Satyavrat Verma, J)

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