

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71043 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- NAKARDEI District- East Champaran

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Badrudoza Dewan @ Md Badrodoja Sah @ Badroija @ Badru Doja Dewan
@ Md Badrudija S/O Nekamahamad Divan @ Neka Mohammad Dewan R/O
Vill.- Sirisiya Mal, P.S.- Noneyadih, Nonea, Raxaul, Dist.- East Champaran-
845305

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mohd Rustam Hussain

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-11-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in Nakardei P. S. Case No.41 of 2025 registered for
the offences punishable under Sections 111, 132, 223 and
3(5) of the B.N.S. and Sections 8(c), 21(b) and 29 of the
NDPS Act.

3. The learned counsel for the petitioner submits
that the petitioner has antecedent of one case under the
NDPS Act and the informant alleges that on information,
shop of the petitioner was raided who fled towards Nepal
and from the shop, 71 grams of smack was recovered in



presence of the Magistrate.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case since he has antecedent under the NDPS Act. It is further submitted that petitioner earlier had instituted a complaint against the Officer-in-Charge of Nakardei Police Station to the Superintendent of Police, Motihari, East Champaran alleging therein that SHO with a view to extort an amount of Rs. Three lacs is threatening to implicate him in a case relating to NDPS Act.

5. Learned A.P.P. opposes the anticipatory bail application and submits that 71 grams of smack was recovered from the shop of the petitioner in presence of the magistrate. It is also submitted that no doubt, petitioner has taken a ground that he has instituted a complaint against the SHO, Nakardei Police Station before the Superintendent of Police, but then, it is submitted that criminal complaints cut both ways. It might be a possibility that petitioner was trying to create his defence. It is also submitted that investigation is still continuing and if privilege of anticipatory bail is granted to the petitioner, the petitioner



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.

7. The prayer of the petitioner for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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