

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76740 of 2025

Arising Out of PS. Case No.-131 Year-2025 Thana- SAHAR District- Bhojpur

Chotak Kumar @ Lavkush Rai S/O Birendra Ray Resident of Vill.-
Dhanachua, P.S.- Chaori, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-12-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Sahar P.S. Case No.131/2025, registered for the offences
punishable under Sections 8(c), 21(b), 25 and 29 of the NDPS
Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and the informant alleges
that Rahul was arrested with 34.63 gram of Smack like
substance and he disclosed the name of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant. It is next submitted that since petitioner has
antecedent of two cases as such the informant got him



implicated through Rahul. It is next submitted that petitioner was not found at the place of occurrence as such there was no recovery from him. It is next submitted that confessional statement in police custody does not have any evidentiary value.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that Rahul was arrested with 34.63 gram of Smack and based on his confession, the name of the petitioner transpired. It is also submitted that though confession statement does not have any evidentiary value in the eye of law but then it is a case registered under the NDPS and the investigation is in its nascent stages and petitioner has antecedent of two case and if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond or try to tamper with the evidence.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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