

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1167 of 2026

Arising Out of PS. Case No.-89 Year-2024 Thana- LAHERIYASARAI District- Darbhanga

Mani Kumar @ Manikant Kumar Son of Shivsankar Ray @ Shivsagar Singh
Resident of village-Pirouchha, Post- Kanta Pirouchha, Police Station-
Benibaad, District- Muzaffarpur. (wrongly mentioned as resident of village-
Benibaad Chour, Police Station- Gayghaat, District- Muzaffarpur in the
F.I.R).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Adv.
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-02-2026 Heard Mr. Nilendu Kumar Choudhary, learned
Counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Laheriasarai P.S. Case No. 89 of 2024 for the offence
registered under sections 8, 29, 20(b)(ii)C of the Narcotic Drugs
and Psychotropic Substance Act, 1985.

3. As per the prosecution story, the informant alleged
that on secret information that some smacks are being sold, the
place was raided and Golu Kumar Mahto and Gunjan Kumar Ray
were apprehended. They gave the name of the person who escaped
as this petitioner. From the pocket of the two accused persons,
16.76 grams and 16.98 grams (totaling 33.74 grams) smack
recovered/seized. This led to the FIR.



4. Learned Counsel for the petitioner submits that he is a young boy, a driver with the family and the livelihood of the family is based on his salary and in case is sent to jail, it will affect them. The submission is that recovery/seizure is from Golu Kumar Mahto and Gunjan Kumar Ray and only due to enmity, he has been named. The last submission is that the petitioner do not have criminal antecedent.

5. Learned APP for the State, on the other hand, submits that those who were apprehended with the smack have named him.

6. Considering the submissions of the parties as also the aforesaid fact, the petitioner do not have criminal antecedent, recovery/seizure is from Golu Kumar Mahto and Gunjan Kumar Ray, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, (NDPS Act) Darbhanga in connection with Laheriasarai P.S. Case No. 89 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family



members/relatives of the petitioner, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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