

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8234 of 2026

Arising Out of PS. Case No.-431 Year-2025 Thana- ARARIA District- Araria

Md. Guddu @ Guddu, S/o- Sri Md. Mokim @ Md. Mukim Uddin, R/o vill-
Gaiyari, P.S. + Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mrs. Vaishnavi Singh, Adv.
For the Opposite Party/s : Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-02-2026

Heard the parties.

2. The petitioner apprehends his arrest in connection with Araria P.S. Case No. 431 of 2025 dated 15.10.2025 registered for the offences punishable under sections 8(c) and 21(b) of the NDPS Act.

3. Learned counsel for the petitioner submits that the petitioner is a 20 year old young boy, who recently passed the matriculation examination with first division and the instant matter relates to the recovery of 100 gm smack like substance and the said suspected narcotic contraband comes in the purview of intermediate quantity and it is an admitted position that the petitioner was not found with the co-accused persons and it is not the case of the prosecution that he was seen with the



accused persons who were apprehended at the spot with the alleged contraband. It is further submitted that the main basis for implicating the petitioner in the commission of the alleged offences is the disclosure statement made by the accused person, namely Md. Noor Alam, before the police, which comes in the purview of confessional statement having no evidentiary value and further, following with the statement of the co-accused person, the house of this petitioner was raided but nothing incriminating material was recovered, so, against the petitioner, there is nothing except the statement of the apprehended co-accused person recorded by him before the police while he was in police custody. It is lastly submitted that two apprehended co-accused persons, namely Md. Soyeb and Md. Noor Alam, have been granted bail by different co-ordinate benches of this Court vide orders passed in Cr. Misc. Nos. 87919/2025 and 85908/2025 respectively and the FIR was lodged on 15.10.2025 whereas the recovery of the alleged contraband was made on 13.10.2025 by the police.

4. Though learned APP for the State has opposed the prayer of the petitioner but fairly accepts that the basis for implicating the petitioner is the statement of the apprehended co-accused person recorded by him before the police while he was in police custody.



5. In the facts and circumstances of this case, considering the above-stated statements and the petitioner’s pleas coupled with petitioner’s young age and his fair and clean antecedent, this Court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Araria P.S. Case No. 431 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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