IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11878 of 2026

Arising Out of PS. Case No.-12 Year-2025 Thana- N.C.B (GOVERNMENT OFFICIAL) District- East Champaran

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Umesh Prasad Jaiswal Son of Rajendra Prasad Jaiswal Resident Of Village-Kadma, Ward No 09, PS- Rajepur, District- East Champaran

... ... Petitioner/s

Versus

1. The State of Bihar bihar
2. The Union of India through NCB, patna bihar

... ... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukul Kumar

Mr.Shashank Shekhar

For the Opposite Party/s : Mr. Dilip Kumar No. 1

For the NCB : Mr. Shivaditya Dhari Sinha, Sr. Panel Counsel

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

3 30-04-2026 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with NCB / PZU / V / -12 of 2025 dated 17.10.2025 corresponding to N.D.P.S. G.R. Case No. 150 of 2025 registered under Section 8(c), 18(b), 25 & 29 of the N.D.P.S. Act 1985.

3. As per the F.I.R. on the basis of a secret tip-off the Narcotics Control Bureau Officials conducted a raid at the residential house of the petitioner and recovered 4.660 Kg of

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opium kept in six packets along with cash amounting to Rs. 3,00,000/-. The wife of the petitioner was arrested who stated that the seized opium and cash belongs to her husband.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence in the manner alleged. He further submits that petitioner was not present at the time of search and seizure inasmuch as he was residing at Dimapur, Nagaland at that point of time and his wife has been arrested. The petitioner has been implicated in the present case merely on the basis of being the owner of the house without any recovery from his personal or conscious possession. The petitioner has no criminal antecedent.

5. On the other hand, Mr. Shivaditya Dhari Sinha, learned senior panel counsel for the N.C.B. opposed the prayer for anticipatory bail and submits that commercial quantity of opium (4.660 Kg) has been recovered from the premises under the control of the petitioner.

6. Regard being had to the submission made by the parties, taking into consideration the fact that huge amount of cash to the tune of Rs. 3,00,000/- along with commercial quantity of contraband opium has been recovered from the house of the petitioner accordingly considering the principle of

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knowledge and control of contraband article, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

(Anil Kumar Sinha, J)

praful/-

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