

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16249 of 2026

Arising Out of PS. Case No.-288 Year-2025 Thana- NAUGACHIA District- Bhagalpur

Raj Kumar @ Raja Kumar Son of Nityanand Sah Resident of Village-
Sahutola, Bhawanipur, P.S.- Bhawanipur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-03-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Naugachia P.S. Case No. 288 of 2025 registered for the
offences punishable under Sections 8(c), 21(c), 25 & 29 of the
NDPS Act.

3. Prosecution case, in a nutshell, is that there is
recovery of 723.67 gram of brown sugar from the possession of
co-accused, namely, Juli @ Mahi.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
Learned counsel for the petitioner mainly submits that from



perusal of the FIR, it is evident that no recovery is made from the possession of the petitioner. Name of the petitioner has surfaced in this case on the disclosure made by apprehended co-accused person. Learned counsel lastly submits that there is no compliance of Sections 42 and 50 of the NDPS Act.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is fervently submitted that regular bail of co-accused, who was arrested from the place of occurrence, has been rejected by this Court vide order dated 20.01.2026, passed in Cr. Misc. No. 91807 of 2025.

6. Considering the rival submissions made by the learned counsel for the parties, this Court does not find this case fit for grant of anticipatory bail. Prayer for anticipatory bail is hereby *rejected*.

7. However, if the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

Raj Kishore/-

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(Rudra Prakash Mishra, J)

