

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23095 of 2026

Arising Out of PS. Case No.-586 Year-2025 Thana- BHAGWAN BAZAR District- Saran

Deepak Rai, aged about 35 years (M), son of Shiv Narayan Rai @ Sita Rai,
Resident Of Village- Daulatganj (near Sinha Lodge), Police Station- Bhagwan
Bazar, Dist- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 20(b),(ii)
(A) of the NDPS Act.

3. As per allegation in the FIR, petitioner along with
other co-accused persons are indulged in trade of mark and on
search of the petitioner and co-accused persons, 14 sachet of
smack, like material weighing about 12 grams along with cash
of Rs.1400/- of different denomination were recovered from the
petitioner and other accused persons.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next



submits that the alleged smack and cash of Rs.1400/- were recovered from the possession of co-accused Manish Kumar and not this petitioner. He next submits that his name has been figured by apprehended co-accused Manish Kumar and except to this, there is no any cogent material against the petitioner showing his involvement in the allege offence. He next submits that petitioner has got eleven criminal antecedents, in which, three criminal antecedents are the same nature of the offences as stated in para-3 of the petition.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioner and submits that recovery of smack weighing 12 grams along with cash of Rs.1400 of different denomination from the co-accused Mnish Kumar and petitioner was associated with the alleged offence.

6. On perusal of the first information report and impugned order dated 02.02.2026, it appears that on the basis of confessional statement of co-accused Manish Kumar told that he along with the petitioner and one Aksh Kumar are indulged in trade of contraband narcotics and total 12 grams of smack, like, material wrapped in 14 sachet were recovered from co- accused Manish Kumar who is associate with this petitioner and informant in his statement recorded at para no.5 of the case



diary has supported the case of the prosecution case and several other witnesses in their statements recorded at para nos.6 and 91 have also supported the case of the prosecution and total eleven criminal antecedents and three cases are same nature of the offence as also the fact that this is a very serious nature of the offence, so I am not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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