

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26858 of 2026

Arising Out of PS. Case No.-471 Year-2025 Thana- JAHANABAD District- Jehanabad

Mohit Kumar Son of Dharmendra Prasad Resident of Village- Panch Mahalla,
Jehanabad, P.S. and Dist.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-05-2026 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner seeks bail in connection with
Jehanabad P.S. Case No. 471 of 2025 registered for the offences
punishable under Sections 8(c), 21(b) and 29 of the NDPS Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of five cases, out of which three cases
are under the NDPS Act and is in custody since 17.02.2026 and
the informant alleges that house of Upendra on information was
raided and 57.53 grams of smack was recovered and Priya Devi
was arrested who disclosed that Upendra supplies smack in the
locality and co-accused Mohit, Rita, petitioner and Santosh were
also involved in the supply of smack.

4. Learned counsel for the petitioner submits that the



name of the petitioner transpired in the confessional statement of apprehended accused in police custody which does not have any evidentiary value. It is also submitted that at the time when the raid was conducted, the petitioner was in judicial custody. It is further submitted that Priya Devi, in whose confession the name of the petitioner transpired, had approached this Court seeking regular bail by filing Criminal Miscellaneous No. 53421 of 2025 and the same came to be allowed by an order dated 11.08.2025 passed by a learned Co-ordinate Bench.

5. Learned A.P.P. for the State vehemently opposes the regular bail application of the petitioner and submits that petitioner has antecedent of five cases, out of which three cases are under the NDPS Act. It is next submitted that the apprehended accused had disclosed that Upendra along with his associates indulge in supplying smack in the locality and in that connection, the name of the petitioner also transpired. It is further submitted that since petitioner has antecedent of three cases under the NDPS Act, as such, if privilege of regular bail is granted, the petitioner may abscond or try to tamper with the evidence, on which the learned counsel appearing on behalf of the petitioner submits that the house of the petitioner was not raided, as such, no narcotic was found.



6. After hearing the learned counsel for the parties and taking into consideration, three criminal antecedent of the petitioner under the NDPS Act, the Court is not inclined to release the petitioner on bail.

7. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

8 Accordingly, the instant regular bail application stands rejected.

(Satyavrat Verma, J)

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