

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34751 of 2026

Arising Out of PS. Case No.-83 Year-2026 Thana- BIHAR District- Nalanda

Uday Kumar S/o Ramvaran Yadav R/o Gauragarh, P.S.- Bihar, Distt- Nalanda
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 27-07-2026 Heard Mr. Raj Kishor Prasad, learned Advocate for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Bihar P.S. Case No. 83 of 2026, registered for the offenses punishable under Sections 8(c), 21(b) of the NDPS Act, 1985.

3. The police in course of patrolling, suspecting the complicity of some persons in crime, apprehended two persons and in course of search recovered 15 small packets, containing 5.2 grams of brown sugar. On interrogation, they disclosed the name of the petitioner, as the person who provided them the narcotic substance for the purposes of sale.

4. Learned Advocate for the petitioner submitted that save and except the confessional statement, there is no material available on record suggesting the complicity of the petitioner in



crime. Moreover, the confessional statement before the police has no evidentiary value in the eyes of law is the contention of the learned Advocate. It is further contended that the quantity of the narcotics, which is said to have been recovered from the co-accused persons that also falls just beyond small quantity, and in fact the implication of the petitioner is only because of his past criminal antecedent, as disclosed in paragraph 3 of the application.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the petitioner is carrying three criminal antecedents, out of which two of them are in relation to offences under the NDPS Act.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the fact that the apprehended persons disclosed that it is the petitioner, who has engaged them to sell the narcotic substance, in lieu thereof, they are also getting money and drugs for consumption, besides the petitioner is carrying three criminal antecedents in which two of them are of NDPS Act, this Court is not acceded to the prayer for grant of anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail to the petitioner stands rejected.



7. Suffice it to observe that if the petitioner surrenders before the court below, preferably within a period of four weeks from today, his prayer for bail shall be considered without being prejudiced by the order of this Court.

(Harish Kumar, J)

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