

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31521 of 2026

Arising Out of PS. Case No.-224 Year-2021 Thana- RAXAUL District- East Champaran

Qaishar Ali @ Kausar Ali S/o Nathuni Mian Resident of Village-Islampur,
Police Station-Raxaul, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Waliur Rahman, Advocate
For the State : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 14-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Raxual P.S. Case No. 224 of 2021 instituted under Sections 20 (b) (ii) (c), 23 (c) of the NDPS Act.

3. As per the prosecution story, the police upon secret information stopped the motorcycle, upon seeing the police, the accused persons tried to escape and one of which was caught 10 Kg of 'charas'. The accused Samir Sheikh apprehended by the police on the spot had taken name of the other co-accused persons.

4. The name of the petitioner has come in the self-inculpatory statement of co-accused Samir Sheikh. The petitioner claims clean antecedent.



5. Considering the fact that the name of the petitioner has surfaced in the confessional statement of co-accused who was apprehended on the spot and also judgment of the Hon'ble Supreme Court in the case of *State of Haryana vs. Samarth Kumar reported as 2022 SCC OnLine SC 2087*, this is not a fit case for grant of anticipatory bail.

6. Accordingly, the application stands dismissed.

7. The petitioner may surrender and pray for regular bail before the Court below.

8. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the trial and this Court has not express any opinion on the merits of the case.

(Sandeep Kumar, J)

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