

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36342 of 2025

Arising Out of PS. Case No.-140 Year-2023 Thana- KUNDWACHAINPUR District- East
Champaran

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Prince Jaiswal @ Prince Kumar son of Rakesh Prasad VILLAGE
-PAKARIDAYAL PS- PAKARIDAYAL DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 6 11-02-2026 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Kundwa Chainpur Police Station Case No. 140 of
2023, dated 28.08.2023, disclosing offences under
Sections 20(b)(ii)(B)/23(b)/25 of the NDPS Act.
3. The prosecution case, as per the First Information Report,
is that on 28.08.2023, the SSB Officials were on duty
near Bajrang Chowk, during course of vehicle checking
they intercepted one motorcycle and apprehended one
person, namely, Sajid Hussain and recovered 5.1 Kg of
Ganja from the arrested co-accused person. The
apprehended person disclosed that he has brought the said
Ganja from Dharmendra Kumar of Nepal and they have
to hand it over to the petitioner. The arrested co-accused



person informed to the petitioner on mobile phone, whereafter, one person came on motorcycle, having registration no. BR-30X-5008, who disclosed his name as Chandra Bhusan Kumar. During course of search, cash worth Rs. 50,000/- and one mobile was recovered from his possession.

4. Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in present case on the basis of confessional statement made by the arrested co-accused persons. He next submits that arrested co-accused persons has implicated the name of the petitioner due to local politics. He further submits that recovery of Ganja is not from the possession of petitioner, but from the arrested co-accused person-Sajid Hussain.
5. On the other hand, learned counsel for the State argued that the petitioner is involved in trafficking of contraband material which would be evident from the fact that at the time of arrest of co-accused Sajid Hussain, he made a call to the petitioner informing him about availability of Ganja, upon which, one person, namely, Chandra Bhushan Kumar, was sent having cash worth Rs. 50,000/-



in order to pay the arrested co-accused Sajid Hussain, who was arrested along with Ganja. The police has recovered Rs. 50,000/- from Chandra Bhushan Kumar. She further submits that the statement of Chandra Bhushan Kumar was also recorded who has confirmed that he had come with money on instructions of Prince Kumar i.e. the petitioner for handing it over to Sajid Hussain for providing Ganja.

6. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that confessional statement of the arrested co-accused person may be the basis for further investigation against the petitioner, who prima facie appears to be a part of Ganja trafficking, I am not inclined to grant the petitioner privilege of anticipatory bail.
7. This application is, accordingly, dismissed.
8. Personal appearance of the Investigation Officer of the present FIR is dispensed with.

(Anil Kumar Sinha, J)

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