

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33984 of 2026

Arising Out of PS. Case No.-214 Year-2025 Thana- BHAGWANGANJ District- Patna

Bikash Kumar S/O Late Doman Yadav Resident of Village- Kajichak
Pattbigha, P.S- Bhagwanganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 21-05-2026

Heard learned counsel for the petitioner and learned

A.P.P. for the State .

2. Petitioner apprehends his arrest in connection with Bhagwanganj P.S. Case No. 214/2025, registered for the offence punishable under Sections 8A(c), 20(b) (ii) (a) N.D.P.S. Act and Sections 25(1-b) a, 26 of Arms act.

3. Prosecution case in brief is that there is recovery of 410 gram of Ganza and a country made pistol along with two live cartridge were recovered from the room of the petitioner.

4. Learned counsel for the petitioner submits that the place of recovery is the house of this petitioner, which according to the petitioner was let out to one Sindhu Kumar, who has only been made accused in this case. It is next submitted that since the house was put on rent to the said accused, who was residing in the said house is only responsible for the recovery of alleged articles and the petitioner is no way connected with the seized articles like contraband cannabis (Ganja), live cartridge and pistol for the cases



under N.D.P.S. and Arms Act have been registered. The counsel for the petitioner raises various infirmities in the process of registration of FIR made in regard to contraband but the fact of allegation being that the seizure of contraband cannabis (Ganja) as also pistol and live cartridge being recovered from the house of the petitioner are sought to be denied by shifting the burden on the sole accused calling him to be renter.

5. There is nothing on record to show that the house was put on rent to the sole accused and all such submissions of the counsel of the petitioner has been vehemently opposed by the learned A.P.P. Mr. Shailendra Kumar, by submitting that the sole accused was the petitioner's man, who was being facilitated by him in this case and under his control, all these activities was going on and looking to this antecedent, which case is registered under 302 IPC, the privilege of anticipatory bail may not be extended in such background.

6. Considering the fact that the seizure of NDPS article and as also the pistol and live cartridge having been recovered from the house of this petitioner and his antecedent discussed above, this Court is not inclined to extend the privilege of Anticipatory bail. Accordingly, the prayer for bail of this petitioner is rejected.

(Ajit Kumar, J)

Sanjeev/-vikram

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