

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34774 of 2026

Arising Out of PS. Case No.-435 Year-2025 Thana- ATHMALGOLA District- Patna

Mintu Kumar S/O Hare Kishun Ray @ HareKishun Ray R/O Vill.- Naya Tola, Raghapur, P.S- Bakhtiyarpur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Saurav, Adv.

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 15-07-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Athmalgola P.S. Case No. 435/ 2025 registered for the offence(s) punishable under section(s) 276, 277, 278 of the BNS and sections 21(c) and 29 of the NDPS Act.

3. Learned counsel for the petitioner submits that the petitioner bears no criminal antecedent and as per the FIR, two persons were apprehended with the alleged contraband material and one of them was the petitioner's own brother, Tuntun Kumar and it is not the case of the prosecution that apart from the apprehended accused, any other person was present with them or accompanying them and the petitioner has been made as an accused solely on the ground of he is the registered owner of the motorcycle which was allegedly used in transporting the



recovered contraband and except for this, there is no allegation against the petitioner.

4. Learned APP appearing for the State has opposed the prayer of the petitioner.

5. Considering the aforesaid submissions advanced by the petitioner's counsel and taking note of these facts that the police apprehended two persons who were riding a motorcycle and upon search, the alleged contraband was recovered from a bag being carried by one of the apprehended accused and further it is not the case of the prosecution that the petitioner who is said to be the registered owner of the motorcycle as claimed by him, was present with the apprehended accused or accompanying them or escorting them, so, this Court is of the opinion that the petitioner has been implicated merely because he is the registered owner of the motorcycle which was being used by his brother and his associate. In such circumstances, the petitioner has made out a case for grant of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Athmalgola P.S. Case No. 435/ 2025 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand)



with two sureties of the like amount each to the satisfaction of
the Court concerned, subject to the conditions as laid down
under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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