

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37929 of 2026

Arising Out of PS. Case No.-142 Year-2025 Thana- AURAI District- Muzaffarpur

Abhishek Kumar @ Anchlesh Kumar S/o Lalit Rai R/o village- Ram Nagar,
PS- Aurai, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 17-06-2026 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'the BNSS, 2023') for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Aurai P.S. Case No. 142 of 2025, lodged on 01.07.2025, under Sections 8/20(b)(ii)(c) of the N.D.P.S. Act and under Section 317(2) of the Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against twelve named accused persons including the present petitioner. Total recovery of 63.518 Kgs of Ganja has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel submits that the petitioner has no concern with the seized material or seized vehicle. He submits that the petitioner has never indulged in dealing with Ganja. He submits that the relevant procedure under Sections 42 and 50 of the N.D.P.S. Act has not been followed during search and seizure. He submits that similarly situated co-accused has been granted anticipatory bail vide order dated 28.01.2026 passed in Cr. Misc. No.2598 of 2026 by a co-ordinate Bench of this Court. Counsel submits that the criminal antecedent of the petitioner is clean. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that similarly situated co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court.

6. In the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of



Exclusive Special Court-II (N.D.P.S. Act), Muzaffarpur, in connection with Aurai P.S. Case No. 142 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. And further condition that the Trial Court shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the Trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(Dr. Anshuman, J)

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