

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42234 of 2026

Arising Out of PS. Case No.-198 Year-2026 Thana- BIHAR District- Nalanda

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Rohit Kumar @ Damoli S/o Krishan @ Krishna Yadav Resident of Village-
Gauragardh , P.S. Biharsharif, District -Nalanda

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-07-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Biharshariff P.S. Case No.168 of 2026 instituted under
Sections 21(a) and 8(c) of the B.N.S., 2023.

3. As per the prosecution case, on 18.04.2026, acting
on secret information, the police conducted a raid near
Gauragarh NCC Camp in the presence of the Block
Development Officer/Executive Magistrate and witnesses. The
accused, Sonu Kumar, was apprehended while allegedly
attempting to flee. During the search, eight paper packets
containing 5.02 grams of brown sugar were allegedly recovered
from his possession, along with a Techno smartphone and a
Lava keypad mobile phone. It is further alleged that the accused



disclosed that the said brown sugar packets were supplied by Golu Kumar and Rohit Kumar @ Damoli (petitioner), who engaged him to sell the substance for Rs. 700 per day and also provided him with brown sugar for personal consumption.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case only on the basis of confessional statement made by the apprehended Sonu Kumar who has stated that the brown sugar was given by the petitioner. He further submits that petitioner was neither present on the spot nor he has concerned with the seized article and with the co-accused Rohit Kumar. There is no incriminating material against the petitioner. The alleged seized article is not of commercial quantity. Search and seizure was not conducted in the presence of any independent witnesses. Petitioner is a young boy of 18 years. Although he has two criminat antecedents that is not of similar nature and he undertakes to cooperate in the trial and investigation of the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioner as well as the



young age of petitioner, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Pr. Sessions Judge, Nalanda, Biharshariff in connection with Biharsharif P.S. Case No.198 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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