

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66430 of 2025

Arising Out of PS. Case No.-332 Year-2025 Thana- KUDRA District- Kaimur (Bhabua)

Gorakh Mallah @ Gorakh Kumar Son of Rajendra Chaudhary Resident of
Village - Kajharghat, P.S. - Kudra, District - Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Anupam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 21-01-2026 Heard Mrs. Kumari Anupam, learned counsel for the
petitioner and Mr. Ganesh Prasad Singh, learned APP.

2. The petitioner is apprehending arrest in connection with Kudra P.S. Case No. 332 of 2025 instituted under Sections 8(c), 21(a), 21(b) and 27(a) of the NDPS Act lodged on 24.07.2025 by the informant, Vikash Kumar.

3. As per the prosecution story, the informant alleged that on secret information that one Harsh Kumar is selling heoin near Kudra Stadium, the place was raided and Harsh Kumar was arrested alongwith 22.46 grams of heroin and Rs. 5,800/-. Upon interrogation, he gave the name of this petitioner from whom the purchase took place. This led to the FIR.

4. Learned counsel for the petitioner submits that neither there is any recovery from him nor his name has come in



the list of those who escaped, only later on, it has been recorded that the purchase was made from him. In any case, the recovery is below the commercial quantity of 250 grams.

5. Learned APP on the other hand opposes the prayer submitting that though nothing has been recovered from his conscious possession, the fact remains that the petitioner has five criminal cases of excise act under his belt.

6. Considering the submission of the parties as also the materials on record, though nothing has been recovered from him, the fact remains that his name has come as a person who supplied the heroin to Harsh Kumar, this coupled with the fact that he has five criminal cases, in that background, it would be appropriate that he seeks bail.

7. The anticipatory application stands rejected.

8. If, however, the petitioner surrenders within four weeks, the concerned Court shall take up the matter and dispose it of preferably on the same day.

(Rajiv Roy, J)

Adnan/-

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