IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77560 of 2026
CNR No. BRHC011073962026
Arising Out of PS. Case No.-336 Year-2026 Thana- RAXAUL District- East Champaran

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Saurabh Kumar Gupta @ Brajesh Kumar @ Akash Raj Son of Late Pramod Prasad @ Pramod Kumar Gupta Resident of Mohalla- Handi Bazar Ward No. 21, P.S.- Raxaul, District- East Champaran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner apprehends arrest in connection with Raxaul P.S. Case No. 336 of 2026, lodged on 11.07.2026, for the offences punishable under Sections 8A(b), 21(b) and 29 of the N.D.P.S. Act, pending in the court of learned Exclusive Special Court-II under N.D.P.S. Act, East Champaran, Motihari.

3. As per the prosecution case, FIR has been lodged against four named accused persons including the present petitioner. Total recovery of 9.60 grams of Brown sugar 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 quantity of Brown sugar alleged to have been

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recovered is not in commercial quantity. He submits that nothing has been recovered from the conscious possession of the petitioner. Counsel submits that name of the petitioner has surfaced in the instant case merely on the basis of confessional statement of co-accused before the police which has no evidentiary value in the eye of law. Counsel submits that petitioner has been unnecessarily made the scapegoat in this case. Counsel submits that antecedent of the petitioner is not clean as there are three criminal cases of identical nature pending against him. Counsel submits that the petitioner is ready to fulfill all conditions whatsoever shall be imposed upon him.

5. Learned APP for the State, on the other hand, opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean as there are three criminal cases of identical nature pending against him.

6. This Court finds that Section 37 of the N.D.P.S. Act is completely against the petitioner. Hence, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Dr. Anshuman, J)

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