IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74347 of 2026

CNR No. BRHC011080392026

Arising Out of PS. Case No.-141 Year-2026 Thana- KURSAKANTA District- Araria

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ANIL KUMAR SAH @ ANIL S/o Late Ramananda Sah @ Rameshwar Sah R/o vill - Maigara, ward no. 1, Mehandipur, P.S.- Kursakanta, Distt.- Araria

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Mrigendra Kumar, Advocate
For the Opposite Party/s : Mr.Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 28-10-2026 Heard Mr. Mrigendra Kumar, learned counsel appearing on behalf of the petitioner and Mr. Prem Kumar Jha, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Kursakanta P.S. Case No. 141 of 2026, registered for the offences punishable under Sections 8 and 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985 (N.D.P.S. Act).

3. As per the allegation made in the F.I.R., upon receipt of information regarding the storage and sale of ganja by co-accused Md. Jabbar, the police conducted a search of his house and allegedly recovered 10.452 kg of ganja. It is further alleged that co-accused Md. Jabbar disclosed that the seized

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ganja was to be delivered to the petitioner, Anil Kumar Sah.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case. He submitted that no contraband has been recovered from the possession of the petitioner and that his name has surfaced only on the basis of the alleged disclosure made by the co-accused. The petitioner was neither present at the place of recovery nor has any concern with the seized ganja. He further submitted that the petitioner has no criminal antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegations made in the F.I.R., particularly the fact that the alleged recovery of 10.452 kg of ganja was made from the house of co-accused Md. Jabbar and the petitioner's name has surfaced on the basis of the alleged disclosure made by the co-accused, I am of the opinion that the petitioner has, *prima facie*, made out a case to be considered for the privilege of pre-arrest bail.

7. The petitioner, above named, is directed to be

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released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Principal District and Sessions Judge-cum-Special Judge (N.D.P.S. Act), Araria, in connection with Kursakanta P.S. Case No. 141 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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