IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77586 of 2026

CNR No. BRHC011109562026

Arising Out of PS. Case No.-24 Year-2026 Thana- KUCHAIKOTE District- Gopalganj

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Anand Kumar Singh @ Anand Kumar Son of Sri Biresh Singh Resident of Village - Mairwa Karna, P.S.- Kudhaykot, District- Gopalganj, Bihar.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ashutosh Kumar Upadhyaya, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

2 04-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application for anticipatory bail arises out of Kuchaikote P.S. Case No. 24 of 2026 for the offence punishable under Section 21(a) of the N.D.P.S. Act.

3. As per the prosecution case, during the course of vehicle checking, the juvenile, namely, Sandeep Yadav, was apprehended while driving the said motorcycle and from his pocket, altogether 1.10 grams of smack like substance was recovered from his possession. The apprehended accused disclosed that the motorcycle belonged to one, Harkesh Yadav, who had directed him to purchase the smack from the petitioner.

4. Learned counsel for the petitioner has submitted

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that except the confessional statement of the apprehended co-accused before police while in police custody, there is no material against the petitioner. It has further been submitted that since the petitioner was made accused earlier in one another case of similar nature, the petitioner has been falsely implicated in this case. It has further been submitted that the alleged contraband quantity recovered is much less than the small quantity and the procedures prescribed as regards search and seizure under N.D.P.S. Act, has not been followed with. It has further been submitted that the motorcycle from which alleged recovery has been made does not belong to the petitioner and the petitioner is ready to co-operate in the investigation.

5. Learned counsel for the State opposed the prayer of anticipatory bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the facts and circumstances as well as the fact that the quantity of contraband article recovered from co-accused is much less than the small quantity as also the only material against the petitioner to be the confessional statement of co-accused before police, let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of

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Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-I, Gopalganj, in connection with Kuchaikote P.S. Case No. 24 of 2026, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. with the following conditions:-

i. One of the bailors would be a close family member of the petitioner.

ii. The petitioner is directed to co-operate in the investigation/trial of the case and be well represented on each and every date fixed in the trial, failing to appear on two consecutive dates without any plausible reason, the Court below would be at liberty to cancel the bail bonds of the petitioner.

(Praveen Kumar, J)

Abdus/-

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