

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78104 of 2025

Arising Out of PS. Case No.-110 Year-2025 Thana- EXCISE UDAKISHUNGANJ District-
Madhepura

Arbind Paswan Son of Kapildeo Paswan Resident of Village- Chausa
Paschymi, Ward No. 8, P.S.- Chausa and District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate
For the Opposite Party/s : Mr. Nityanand Tiwari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 09-02-2026 Heard Mr. Dinesh Prasad Verma, learned counsel
for the petitioner and Mr. Nityanand Tiwari, learned APP for the
State.

2. The petitioner apprehends his arrest in connection
with Udakishunganj Excise P.S. Case No. 110 of 2025
instituted for the offences under Sections 8(c), 21(b) of the
NDPS Act.

3. Prosecution allegation, in short, is that total 15.14
grams of smack has been recovered in this case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no criminal antecedent.
There is no allegation of tampering of witnesses alleged against



the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that the recovery of the contraband has been made from the co-accused who disclosed the name of the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that the accused persons including the petitioner is involved in the illegal business of smack and therefore, he does not deserve to be released on anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case as also the nature and gravity of offence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioner is, hereby, rejected.

8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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