

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86963 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- MAHUAWA District- East Champaran

Alok Kumar S/O Ramyad Rai @ Ramyad Yadav Resident Of Village-
Katkenwa, P.S - Mahuawa, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-03-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Mahuawa PS Case No. 88 of 2025 registered for the
offences punishable under Sections 8, 20(b)(ii)(B), 23(b) and 29
of the Narcotic Drugs and Psychotropic Substance Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on secret information, an accused was arrested, who
was coming from Nepal and disclosed his name as Rakesh and
from his possession 1 kg charas was recovered and he disclosed
that he got charas from Mukesh, a resident of Nepal, and was
asked to deliver the same to Manu, a resident of Gazipur and for
the work, he got Rs. 3,000/-, further petitioner along with



Pankaj and Sanjay, all residents of East-Champaran, are also involved with him in the trade.

4. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and his name transpired in the confessional statement of apprehended-accused in police custody which does not have any evidentiary value. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the apprehended accused did not disclose that petitioner in the instant occurrence was associated with him rather has stated that petitioner along with others are involved in the trade along with him. It is further submitted that no doubt the charas recovered from the apprehended accused is of commercial quantity, but the, petitioner is not alleged to be involved in receiving charas from Mukesh for delivering it to Manu.

5. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the allegations as alleged in the FIR, it would manifest that commercial quantity of charas is alleged to have been recovered from Rakesh and based on disclosure made by Rakesh, the name of the petitioner and others transpired in the case. It is fairly submitted that Rakesh does not allege that



petitioner was involved in the occurrence in the instant transaction, but then Rakesh has disclosed that petitioner along with others are involved with him in carrying of the trade. It is also submitted that investigation is continuing. It is next submitted that from perusal of the pleadings made in the anticipatory bail application, it would manifest that petitioner has not even suggested that what he does for his earnings.

6. After hearing the learned counsel for the parties and taking the submission made by learned APP into consideration, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

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

(Satyavrat Verma, J)

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