

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85724 of 2025

Arising Out of PS. Case No.-96 Year-2025 Thana- Bhelahi District- East Champaran

1. Rajesh Bhagat @ Rajesh Mahto S/o- Prasad Mahto resident of Village- Sukhalahiya, PS- Darpa, District- East Champaran, Motihari.
2. Awadhesh Bhagat @ Awadhesh Prasad S/o- Indrasan Mahto resident of Village-Pipra, PS- Darpa, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-01-2026

1. Heard learned counsel for the petitioners and learned

APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 8, 20(b) (ii) (C) of the NDPS Act.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that he received secret information that petitioners indulged in trade of ganja and have concealed ganja in the bushes of Sainik road. Accordingly, the force reached the place of occurrence and recovered 107 kg of ganja concealed in nine packets.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the



informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that ganja was recovered from a bush concealed in nine packets. It is next submitted that petitioners were not even present at the place of occurrence. It is reiterated and submitted that petitioners are clean antecedent and the informant for ulterior reason implicated the petitioners, who are labourers.

5. Learned A.P.P. opposes the anticipatory bail application and submits that no doubt, the petitioners were not found present at the place of occurrence, but then, based on secret information, the place was raided from where 107 kg of ganja was recovered. It is next submitted that investigation of the case is continuing and if privilege of anticipatory bail is granted, the petitioner may abscond and try to tamper with the evidence.

6. Considering the submissions made by the learned A.P.P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. The prayer of the petitioner for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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