

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85705 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Vaishali

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Manish Kumar S/O Vijay Prasad R/O Village- Dharhari, P.S- Chiraiya, Distt.-
East Champaran.

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. The Union of India through N.C.B. Patna. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Advocate
For the State	:	Mrs. Nirmala Kumari, A.P.P
For the O.P. no.2	:	Mr. Sanat Kumar Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 19-03-2026 Heard learned counsel for the petitioner, learned A.P.P

for the State and learned counsel for Union of India through

N.C.B.

2. The petitioner is apprehending arrest in connection
with C2A (NCB) Case No. 01/2025 arising out of
NCB/PZU/V/05/2025, for the offence punishable under Sections
8(c), 18(b), 22(c) & 29 of the Narcotic Drugs and Psychotropic
Substances Act, pending in the Court of Principal District &
Sessions Judge, Vaishali.

3. As per the prosecution, recovery of 8 kg. opium has
been made which is the subject matter of the present case
through which subsequent link was found by the Investigating



Team and subsequent recovery of 6.8 kg of opium and 2.1 kg of powder (Amphetamine) has been made from the room of petitioner and his brother which they have taken on rent.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and he unnecessarily been made accused in this case. Counsel submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that the person from whose possession the alleged recovery has been made is his brother. He submits that the petitioner is a law student living at Muzaffarpur. Counsel further submits that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Learned counsel appearing for Union of India through N.C.B opposes the prayer for bail of the petitioner and submits that it is true that accused Rajnish has been arrested from the place of occurrence. He submits that a counter affidavit has been filed in this case, in which it is stated that conversations took place with the main accused person from whom the recovery has been made. There was a direct telephonic communication between them. He submits that the landlord of the room from which the recovery has been made



has categorically stated that the petitioner and his brother were residing in the said room, and that the recovery was effected from that room after breaking the lock in the presence of his brother.

7. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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