

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91546 of 2025

Arising Out of PS. Case No.-398 Year-2025 Thana- Arwal District- Arwal

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Ankit Kumar, aged about 20 years, Male, Son of Raj Kishor Singh, Resident of Village-Paharpura, P.S.-Haspura, District- Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 91599 of 2025

Arising Out of PS. Case No.-398 Year-2025 Thana- Arwal District- Arwal

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Ranjeet Kumar, aged about 21 years, Male, Son of Sanjeet Yadav, Resident of Village-Makhbulpur, P.S.- Haspura, District- Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 91546 of 2025)

For the Petitioner/s : Mr. Ranjit Kumar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 91599 of 2025)

For the Petitioner/s : Mr. Ranjit Kumar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

6 19-05-2026 Learned counsel for the petitioners and learned APP

for the State heard through virtual mode.

2. The petitioners seek bail in connection with Arwal

P.S. Case No. 398 of 2025 instituted for the offences punishable

under Sections 8(c) and 21(b) of the N.D.P.S. Act.

3. As per allegation in the FIR, total 30.72 Grams of

Smack (heroin) was recovered from the tanker's lid of the

vehicle as well as one mobile phone has also been recovered



from the possession of the co-accused persons including the present petitioners.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence and have falsely been implicated in this case only on the basis of dirty village politics. He submits that the petitioners were neither the owner nor the driver of the said vehicle in which the smack (heroin) was recovered and the recovery is from the Tanker's lid of the said vehicle. He further submits that petitioners were the passenger of the said vehicle and they have no knowledge with regard to the said smack (heroin) which was recovered from the seized vehicle. He next submits that the petitioners were arrested at the spot as a passenger on the said vehicle and nothing incriminating articles has been recovered from the conscious possession of the petitioners. Petitioners have got clean antecedent as stated in para 3 of the petition is in custody since 30.10.2025.

5. Learned APP for the State opposes the prayer for regular bail of the petitioners.

6. From perusal of the FIR, case diary, Forensic Science Laboratory report and also perused the impugned order dated 01.12.2025 passed by the learned Principal District and



Sessions Judge, Jehanabad, it appears that on the basis of written report of the informant namely, Prakash Kumar Mahto, FIR has been registered under Sections 8(c) and 21(b) of the N.D.P.S. Act against three co-accused persons including the present petitioners and the allegation is of 30.72 grams of smack (heroin) were recovered from the co-accused persons including the present petitioners. From perusal of the records, it also appears that the petitioners are named in the FIR with the allegation of recovery of 30.72 gram of smack from the vehicle in which these petitioners were sitting. The offence is very serious in nature. The informant in his re-statement in para-4 and the witness in para-5 of the case diary have supported the case of the prosecution. From perusal of the records, it also appears that the contraband articles which was recovered from the accused persons is Smack (heroin), petitioners are in custody since 30.10.2025, so considering the facts and circumstances of the case, submissions of learned counsel for the petitioners, commercial quantity of smack (heroin) as well as gravity of offence, I am not inclined to grant regular bail to the petitioners.

7. Accordingly, the prayer for regular bail of the petitioners are hereby rejected.



8. However, the petitioners, if so want may renew their prayer for regular bail before the trial Court after completion of one year of their custody and the trial Court shall consider their prayer for bail of the petitioners without being prejudiced by the present order.

(Ramesh Chand Malviya, J)

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