

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1911 of 2026

Arising Out of PS. Case No.-423 Year-2025 Thana- MURLIGANJ District- Madhepura

Anshu Kumar Son of Shambhu Kumar Yadav Village- Basantpur, Ward No
16, PS -Shankarpur, District-Madhepura

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailendra Kumar Singh, Advocate Mr. Deepak Kumar Singh, Advocate Mr. Pravin Kumar, Advocate
For the Opposite Party/s :		Mr. Sanjay Kumar Tiwary, APP

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

ORAL ORDER

2 21-01-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Murliganj
PS Case No. 423 of 2025 instituted for the offences under
Sections 8(c), 21(b) & 22 of the NDPS Act.

3. Prosecution allegation, in short, is that on 24.08.2025,
police intercepted a Bolero near Mirganj Chowk and recovered
400 grams smack, Rs. 9,400/- cash, Bolero vehicle and mobile
phones from co-accused persons, including the petitioner.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. The petitioner is in custody since 25.08.2025 and has got no criminal antecedent. Charge-sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioner. In fact, petitioner has no concern with the recovered contraband. It is lastly submitted that there is no compliance of Sections 42 and 50 of the NDPS Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned A.P.P. submits that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband beyond commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court is not inclined to grant bail to the petitioner.

7. The prayer is *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and



unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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