

COURT OF PRINCIPAL SESSIONS JUDGE, NALANDA, BIHARSHARIF.

A.B.P. No. 826/2026

Rohit Kumar @ Damoli Vs. The State of Bihar

26.05.2026

The present petition for anticipatory bail has been filed on behalf of petitioner, Rohit Kumar @ Damoli, who is apprehending his arrest in connection with Bihar Sharif P.S. Case No. 198/2026 registered for the offences punishable u/s. 21(a), 8(c) of the N.D.P.S. Act.

Heard learned counsel Sri Gaurav Kunal for the petitioner as well as learned Spl. P.P. on behalf of the State.

Learned Lawyer of the petitioner has submitted that earlier, no bail petition either anticipatory or regular bail has been filed on behalf of petitioner either before this Court or the Hon'ble High Court, Patna. He further submitted that the petitioner is innocent, has committed no offence and he has falsely been implicated and dragged in the present case. The petitioner has criminal antecedent of one case, i.e., Bihar P.S. Case No. 645/2023 in which he was acquitted from Juvenile Justice Board. The petitioner has never involved in any manner in the trafficking of Narcotics, co-accused has falsely implicated his name in this case. The petitioner has no connection with the co-accused and nothing has been recovered from the possession of the petitioner. The petitioner belongs to very poor family background and he works as a labour in other State for his livelihood. On these facts, he has prayed that the petitioner be granted anticipatory bail.

Learned Spl. Public Prosecutor opposed the prayer for anticipatory bail.

The prosecution case, in brief, as contained in the computer typed information of informant Deepak Kumar, P.S.I. posted at Bihar P.S. is that the informant got secret information by the S.H.O. of Bihar P.S. that a person namely Sonu Kumar was selling drugs near the Gauragarh NCC Camp. Thereafter, on 18.04.2026 at about 17:10 hrs., the informant along with police party proceeded from P.S. for verification of this information and necessary action and he also requested the Block Development Officer, Bihar Sharif to come at the place of occurrence. The informant along with Police party reached there at about 17:40 hrs, where Block Development Officer, Bihar Sharif also reached there. On seeing the Police party, one person tried to flee away but with the help of police party, he was apprehended there. On query, he disclosed his name as Sonu Kumar. On search in the presence of Ld. Magistrate and two witnesses, a total of eight small paper packets of Brown Sugar were recovered inside the white colour plastic kept hidden inside the full pants worn by Sonu Kumar. On weighing, total weight of Brown Sugar was found to be 05.02 grams and a green colour smart phone of Techno Company, a black colour keypad mobile of Lava Company were also recovered from Sonu Kumar. Accordingly, seizure list

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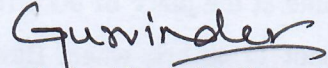
26.05.2026

was prepared and a copy of seizure list was served to him. It is further alleged that on query, Sonu Kumar told that he brought the said Brown Sugar from outside by 01. Golu Kumar, 02. Rohit Kumar @ Damoli and they make packets and give it to him to sell and for this, they pay him Rs. 700/- as wages per day and also give him Brown Sugar to consume.

Heard the learned lawyer for the petitioner and the learned Spl. P.P. for the State and perused the case record as well as the case diary from Para 1-56. The allegation against the petitioner is that he used to give Brown Sugar to the co-accused for selling and in return, the co-accused used to get from him Rs. 700/- per day and some Brown Sugar to consume. At Para 08 of the case diary, there is statement of the informant who has fully supported the case of the prosecution. Witnesses at Para 05 and 07 of the case diary have also fully supported the case of the prosecution. At Para 06 of the case diary, there is seizure list witness, who has supported the seizure. At Para 02 of the case diary, there is seizure list in which it is mentioned that total 05.02 grams of Brown Sugar has been recovered from the possession of co-accused, according to that co-accused, it has been provided to him by this petitioner for selling in the market. At Para 54 of the case diary, it is mentioned that there are two criminal antecedents pending against this petitioner but in his application at Para 3, this petitioner has disclosed only one criminal antecedent against him, that is he has concealed one criminal antecedent from this Court. The investigation in this case is still pending and now a days, these types of drugs are being used to spoil the future of young generation.

Considering the aforesaid facts and circumstances of the case, this court is not inclined to grant anticipatory bail to the petitioner. Hence, the same is hereby **rejected**.

(Dictated & corrected)


(Gurvinder Singh Malhotra)
Pr. Sessions Judge, Nalanda,
Biharsharif.

Date of Order	26.05.2026
Date of Reserving Order	26.05.2026
Uploading Date	27.05.2026
Uploaded by	Rashmi Raj