

**In the Court of Sessions Judge/Special Judge (NDPS), Patna**

**Anticipatory Bail Application No.- 872/2026**

**Ramesh Prasad & Ors.**

**Petitioners**

**Vs.**

**The State of Bihar**

**Opposite party**

**Date**

**ORDER**

**07-04-2026**

1. This anticipatory bail application is preferred by **Ramesh Prasad, Lal Kumar @ Shashank Kumar and Piyush Kumar**, who are apprehending arrest in connection with **Maner P.S. Case No.975/2025** dated 24.12.2025, registered under Sections 8(C), 18(b), 21(c), 22(b), 22(c), 30, 31, Section 30(a) of Bihar Special Court, Act 2005 and Section 112(2)(a) of Bharatiya Nyaya Sanhita and Section 25(1-B), (a), 26 and 35 of Indian Arma Act.
2. Heard Sri Mohit Raj, learned counsel for the accused-petitioners and Sri Ashok Kumar Sinha, learned Spl. PP on behalf of the State.
3. The allegation against the accused persons is that on 24.12.2025, 12 puriya of smack weighing 6.36 grams including paper were recovered from the possession of the co-accused Shubham Kumar, 9 puriya weighing 4.72 grams smack were recovered from the possession of co-accused Abhishek Kumar @ Nagendra Rai, 5 puriya weighing 2.68 grams were recovered from the possession of co-accused Abhishek Kumar @ Ramjaypal Rai, 2.05 grams smack were recovered from co-accused Saroj Kumar, 10.20 grams smack were recovered from the possession of co-accused Pritam Kumar and 3.10 grams from his car. On further search, the premises in which co-accused Pritam Kumar had concealed himself, smack weighing 347.79 grams, one country made pistol with live cartridges and 21.5 liters beer were also recovered. Further, on search of the house linked with the Shubham Kumar, co-accused Soni Gupta was apprehended while she was trying to flee from the house and 140 grams of smack and 558.90 grams charas, along with

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Rs.12,16,000/- were recovered.

4. Learned counsel for the petitioners submitted that the petitioners are innocent, committed no offence. It was further submitted that the petitioners have falsely been implicated in this case and nothing incriminating has been recovered from their possession. It was next submitted that the mandatory provisions of NDPS Act has not been followed by the police and no independent witness has supported the case of the prosecution and the petitioners have been made accused in this case because petitioner no.1 & 2 are younger brothe and petitioner no.1 is the father of the co-accused Shubham Kumar. Moreover, petitioner No.1 & 2 bears one criminal antecedent and petitioner 3 bears three criminal antecedents, in which all of them are on bail in the respective cases. On these grounds, prayed for privilege of anticipatory bail.
5. Per contra, learned Special Public Prosecutor vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that 6.36 grams of smack has been recovered from the possession of the co-accused Shubham Kumar and in total 516.90 grams from the possession of the accused persons, and the petitioners are younger brother and father of co-accused Shubham Kumar. The allegation against the petitioners is serious in nature. It was further submitted that the petitioner no.1 & 2 have one criminal antecedent and petitioner no.3 has three criminal antecedents. It was further submitted that investigation is going on and charge sheet is yet to be submitted against this petitioners. The allegation against the petitioners is serious in nature. Therefore, the petitioners do not deserve the privilege of anticipatory bail.
6. Considering the nature of accusation; recovery of total 516.90 grams from the possession of the accused persons, and the petitioners are younger brother and

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father of co-accused Shubham Kumar, from his possession 6.36 grams of smack has been recovered, which falls beyond the category of small quantity as per Narcotic Drugs and Psychotropic Substances Act, 1985; submissions of learned Special Public Prosecutor; petitioner no.1 & 2 bears one criminal antecedent and petitioner no.3 bears three criminal antecedents; investigation is ongoing and charge-sheet awaited, this Court is of the opinion that it is not a fit case for grant of anticipatory bail to the petitioners.

7. Accordingly, this anticipatory bail application filed on behalf of the petitioners namely **Ramesh Prasad, Lal Kumar @ Shashank Kumar** and **Piyush Kumar** is hereby **rejected**.

**(Dictated)**

**(Rupesh Deo)  
Sessions Judge/Special Judge (NDPS),  
Patna**

Date of Judgment/Order	07.04.2026
Date of Reserving Judgment/ Order	26.03.2026
Uploading Date	07.04.2026
Uploaded by	Shanu/-