

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

Anticipatory Bail Application No.-2381 of 2026
(Arising out of Pirbahore P.S. Case No. 127 of 2026)

Dablu Kumar @ Dablu Chai

-----Petitioner

Vs.

The State of Bihar

-----Opposite party

Date

ORDER

07-07-2026

1. The present application for anticipatory bail has been preferred by the **petitioner-accused, Dablu Kumar @ Dablu Chai**, who apprehends his arrest in connection with **Pirbahore P.S. Case No. 127/2026** dated 10.02.2026, registered under **Sections 115(2), 126(2), and 132 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023**, along with **Section 20(b)(ii)(A) of the Narcotic Drugs and Psychotropic Substances Act, 1985**.
2. Heard Mr. Vishwa Jyoti Kumar, learned counsel for the accused-petitioner and Mr. Ashok Kumar Sinha, Learned Spl. PP on behalf of the State.
3. As per the prosecution case, on 10.02.2026 at approximately 6:40 PM, the police received confidential information that two individuals were engaged in the sale of narcotic substances near Baharwa Ghat. Acting upon such information, the police party proceeded to the location and arrived there at about 6:45 PM. Upon noticing the police, two persons namely, (i) Roshan Kumar, son of Bablu Kumar alias Bablu Mahto, and (ii) Roshan Kumar, son of Prem Mahto attempted to flee but were apprehended. Upon personal search, approximately 6 grams of ganja was recovered from each of them. From the possession of the first accused, a Realme mobile phone and a motorcycle bearing Registration No. BR01EN1295 were seized, while an Oppo mobile phone was recovered from the second accused. The seized contraband was duly weighed, and a seizure memo was drawn at the spot. During interrogation, Roshan Kumar, son of Bablu Kumar

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alias Bablu Mahto, disclosed that the **contraband had been procured from the petitioner, Dablu Kumar, who was allegedly supplying ganja on commission** and residing near Patel Chhatrawas. Acting on this disclosure, the police proceeded to the indicated location to apprehend the petitioner. However, upon confrontation, the petitioner allegedly raised an alarm, following which 10-15 unknown persons gathered and allegedly attacked the police personnel to facilitate his escape. Taking advantage of the commotion and darkness, the petitioner and the accompanying persons allegedly fled. During this incident, a motorcycle bearing Registration No. BR31BC4953 was found abandoned at the scene and was seized. Consequently, the present FIR was registered against the petitioner, the two named co-accused, the registered owners of the aforementioned motorcycles, and 10-15 unknown persons for offences relating to illegal possession and sale of narcotic substances, as well as obstruction and assault on public servants.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated. It was argued that no contraband was recovered from his possession and that mandatory provisions of the NDPS Act were not complied with. It was further contended that the co-accused persons have already been granted bail vide order dated 02.03.2026 in B.P. No. 435/2026, and on the ground of parity, the petitioner is also entitled to anticipatory bail.
5. *Per contra*, the learned Special Public Prosecutor opposed the prayer for bail, submitting that although the **total recovery of 12 grams of ganja** from the co-accused falls within the category of small quantity under the NDPS Act, and they have accordingly been granted bail, the case of the present petitioner stands

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on a different footing. It was contended that the petitioner is specifically alleged to be the supplier of the contraband. It was further submitted that the **petitioner has seven criminal antecedents, as disclosed in paragraph 3 of the bail application, namely:** (i) Pirbahore P.S. Case No. 138/2025; (ii) Kadamkuan P.S. Case No. 481/2006; (iii) Kadamkuan P.S. Case No. 392/2025; (iv) Pirbahore P.S. Case No. 220/2021; (v) Pirbahore P.S. Case No. 54/2012; (vi) Pirbahore P.S. Case No. 205/2019; and (vii) Pirbahore P.S. Case No. 248/2021.

Furthermore, it was pointed out that the Investigating Officer, in paragraph 76 of the case diary, has referred to another antecedent i.e., Kadamkuan P.S. Case No. 23/2009 which has been suppressed by the petitioner. It was further contended that the **petitioner has prior involvement in NDPS related offences** and is actively engaged in trafficking activities in association with the co-accused. It was also emphasized that the investigation is going on and the charge-sheet has not yet been filed. In light of the allegation and the petitioner's antecedents, and the stage of investigation, it was argued that he is not entitled to anticipatory bail.

6. Upon consideration of the rival submissions and perusal of the materials on record, this Court finds that although no contraband has been recovered from the petitioner and the quantity seized from the co-accused falls within the small quantity category under the NDPS Act, the allegation against the petitioner are distinguishable. The petitioner has been specifically named by the co-accused as the supplier of the contraband, and it is further alleged that he, along with 10-15 unknown persons, obstructed and assaulted the police party to facilitate his escape. Also, **the petitioner has multiple prior criminal antecedents, including**

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cases under the NDPS Act, and has allegedly suppressed one such antecedent in the present application. Considering that the investigation is at a nascent stage and the charge-sheet has not yet been submitted, this Court is not inclined to exercise its discretionary jurisdiction in favour of the petitioner.

7. Accordingly, the application for anticipatory bail filed on behalf of the petitioner, Dablu Kumar @ Dablu Chai, stands rejected.

(Dictated)

Sd/-

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

Date of Order	07.07.2026
Date of Reserving Order	02.07.2026
Uploading Date	07.07.2026
Uploaded by	Santosh/-