

**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SITAMARHI**

Dated, Sitamarhi, the 10<sup>th</sup> of March, 2026

Present- Dinesh Sharma, Principal District & Sessions Judge, Sitamarhi

**A.B.P. No. 180 of 2026**

**Bhikhari Sah @ Vikhari Sah**

**Vrs.**

**State of Bihar**

Sr. No.	Date of order or proceeding	Order with the signature of the court	Office action taken with date
	10.03.2026	<p>This anticipatory bail petition has been filed on behalf of the petitioner namely Bhikhari Sah @ Vikhari Sah, who is apprehended his arrest in connection with Sonbarsa PS Case No. 158/2024, registered under Section 8, 20(b)(ii)(c), 22(c), 23(c) of NDPS Act.</p> <p>2. Argument heard. Ld. Counsel for the petitioner is present and Ld. I/C PP is also present.</p> <p>3. It is submitted by the Ld. Counsel for the petitioner that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner has no criminal antecedent and on the basis of the confessional statement of the accused Ram Vivah Sah which was given out enmity. Therefore, the petitioner may kindly be admitted on bail.</p> <p>4. On the other hand, the Ld. I/C PP has vehemently opposed the prayer for bail.</p> <p>5. As per the case of prosecution, one Ram Vivah Sah was apprehended by the team of SSB 51 Battalion and upon search 1 Kg 450 gram (1.450 Kg) OPIUM like substance was recovered. Upon interrogation the said apprehended person disclosed that he had to supply the aforesaid recovered substance to the petitioner.</p> <p>6. Be it noted that the Court is well aware of the fact. Confessional statement made while in the custody of police is not admissible in evidence, however, there is no bar in law to further investigate the case based on the clues provided by the co-accused while in the custody of the police.</p> <p>7. The recovered quantity is commercial quantity and to unearth the whole truth, the custodial interrogation of the petitioner is required.</p> <p>8. Be it noted that the cases of NDPS are on the rise in this district being sharing border with Nepal.</p>	

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Contd. Order  
dated  
10.03.2026

9. At the time of deciding anticipatory bail applications the Court has to make a delicate balance between the rights of the accused and between the rights of the investigating agencies to investigate the case fairly and properly by all lawful means including the custodial interrogation of the accused.

10. Considering the totality of facts and circumstances, no case of anticipatory bail is made out at this stage. Resultantly, the instant Anticipatory Bail Application is hereby dismissed.

Dictated



(DINESH SHARMA)  
Principal District &  
Sessions Judge, Sitamarhi  
10.03.2026

Date of judgement/order

10.03.2026

Date of Reserving Judgement/order

10.03.2026

uploading date

13.03.2026

uploaded by

~~P. S. Kumar~~ P. S. Kumar