

In the Court of Sessions Judge, Supaul
A.B.A.-425/2026
(Arising out of Laukaha PS Case No:-86/2025)

	1. Prince @ Raja Kumar @ Prince Kumar, S/o- Mukesh Singh @ Mukesh Kumar Singh @ Mukesh Kumar; 2. Mitthu Kumar Singh @ Prem Kumar, S/o- Mukesh Singh @ Mukesh Kumar Singh @ Mukesh Kumar; both R/o- Mohaniya, Ward No.14, PS- Laukaha, District- Supaul; Accused/Petitioners Vs. State of Bihar.O.P.	
<u>16/05/2026</u>	Ld. Counsel for petitioners Sri. Raj Kumar Singh, Advocate. Ld. Spl. P.P Sri. Shyam Sundar Prasad, for the State. By this order we are going to dispose off the anticipatory bail application filed on behalf of accused/ petitioners, namely 1. Prince @ Raja Kumar @ Prince Kumar and 2. Mitthu Kumar Singh @ Prem Kumar, who are apprehending their arrest in connection with Laukaha PS case No.86/2025, u/s- 21(b) of N.D.P.S. Act. Ld. counsel for the accused/ petitioners submitted that accused/ petitioners are quite innocent and have committed no crime and they have falsely been implicated in this case out of grudge, malice and dirty party politics. He further submitted that accused/ petitioner No.1 Prince @ Raja Kumar @ Prince Kumar is also involved in two other criminal cases. However, the accused/ petitioner No.2 has not involved in any other case and having the clean antecedent. He further submitted that accused/ petitioners have no concern with the alleged seized Codeine Cough Syrup. He further submitted that no any contraband has been recovered from the conscious possession of the accused/ petitioners. He further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioners. It is also submitted that accused/ petitioners are ready to abide by the provisions of section 482 of B.N.S.S, so they may be admitted to the anticipatory bail. Ld. Spl. PP for the State strongly opposed the anticipatory bail application. In brief, the prosecution story is that on dated 19.09.2025 at about 02:30 P.M., PTC Rajeev Kumar Rai, received a secret information regarding the storage of illicit contraband at the house of accused persons namely Prince @ Raja Kumar, Mithu Kumar Singh and Md. Saddam. Thereafter, the police team lead by PTC Sanjeev Kumar, reached at village Mohaniya, ward No.14 and on seeing the police party, three accused persons started running from there and they also thrown a plastic bag. Thereafter, that bag was duly searched and from that bag total 240 bottles of Windlas Codeine cough Syrup, each bottle contains 100 .M.L was recovered. In this way total 24 liters of Windlas Codeine cough Syrup was	Contd.

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recovered. Thereafter, the seizure list was prepared and on the basis of self statement of PTC Rajeev Kumar Rai, the FIR was registered against the accused persons namely Prince @ Raja Kumar, Mithu Kumar Singh and Md. Saddam.

Argument heard from both sides and perused the record as well as case diary. On going through the case diary, it transpires that the members of raiding party including constable Faisal Alam have duly supported the prosecution case. As per case diary, I.O has nowhere stated about the previous involvement of the accused/ petitioners. However, as per submission of Ld. counsel, the accused/ petitioner No.1 Prince @ Raja Kumar @ Prince Kumar is also involved in two more criminal cases bearing Laukaha PS Case No.53/24 and Laukaha PS Case No.67/24. The samples of recovered contraband has sent to Forensic Science Laboratory for Chemical Examination but the report has not been received so far. On minute scrutiny of entire case diary as well as FIR, it is amply clear that on seeing the police party 3 accused persons including these two accused/ petitioners were managed to run away from the place of occurrence after throwing the plastic bag. The allegation against these accused/ petitioners are very serious in nature. The investigation of this case is in primary stage. The custodial interrogation of the accused/ petitioners is also required. The tempering of the prosecution evidence by the accused/ petitioners is also cannot be ruled out.

Keeping in mind the seriousness of the allegation and the quantity of the recovered Codeine Cough Syrup, which is much more than the commercial quantity, I find that both the accused/ petitioners are not entitled to get the benefit of anticipatory bail. As such, the prayer of the anticipatory bail, on behalf of both accused/ petitioners namely 1. Prince @ Raja Kumar @ Prince Kumar and 2. Mitthu Kumar Singh @ Prem Kumar, is hereby, **Rejected**.

Dictated
-Sd-
(Anant Singh)
Sessions Judge, Supaul