

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41374 of 2014**

Arising Out of Case No. -2 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-  
PATNA

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Mohd. Izhar @ Izhar Ahmad Son of Mubin R/o Village Tikra Murtaza, P.S.  
Zaidpur, District Barabanki (U.P.)

.... .... Petitioner/s

Versus

The Union of India through The Director, Directorate of Revenue  
Intelligence, Regional Unit, Patna

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Fakhruddin Ali Ahmad with  
Ms. Anjum Perween, Advocates

For the Opposite Party/s : Mr. Manoj Kumar Singh, CGC

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**ORAL ORDER**

4      27-04-2015                      Heard learned counsel for the petitioner and learned  
counsel for Union of India through the Director of Revenue  
Intelligence, Regional Unit Patna.

The petitioner apprehends arrest in Special Case No.  
15 of 2014 dated 21.02.2014 arising out of DRI F. No.  
DRI/LZU/PRU/718 (ii)/ENQ-02/2014 instituted under Sections  
21(c)/27(a)/29 of the Narcotic Drugs and Psychotropic Substances

Act, 1985.



Learned counsel for the petitioner submits that admittedly nothing was recovered from his possession or his house and his name has transpired from the confessional statement of one of the named persons in the original complaint, who has stated before the officials that the petitioner along with four others were part of a gang which supplied contraband articles though the house of the petitioner was searched but nothing has been recovered. Learned counsel submits that out of the five persons, including the petitioner, named in the confessional statement, one such person Md. Kadeer who is alleged to be on telephonic touch with the arrested persons, as per the allegation, has been granted anticipatory bail by a co-ordinate Bench on 09.03.2015 in Cr. Misc. No. 9331 of 2015, web copy of which has been produced. Learned counsel has also produced web copy of order dated 05.01.2015 passed by a co-ordinate Bench in Cr. Misc. No. 51820 of 2014 by which the rest three similarly situated co-accused whose name also transpired in the confessional statement have also been granted anticipatory bail. It is submitted that the petitioner has no criminal antecedent.

Learned counsel for Union of India does not dispute the fact that the persons who have been granted anticipatory bail

by co-ordinate Benches of this Court are similarly situated to the petitioner.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VII-cum-Special Judge, N.D.P.S., Patna in Special Case No. 15 of 2014 arising out of DRI F. No. DRI/LZU/PRU/718 (ii)/ENQ-02/2014, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall lead to cancellation of his bail bonds.

**(Ahsanuddin Amanullah, J)**

Anjani/-

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