

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19140 of 2021**

Arising Out of PS. Case No.-85 Year-2020 Thana- ISHAKCHAK District- Bhagalpur

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AMARDEEP DAS @ BC Son of Thakur Das Resident of Bhikhanpur, Gumti
No.-2, P.S.-Ishakchak, District-Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Ishakchak P.S. Case no. 85 of 2020 instituted for the
offence under Sections 188, 272, 273, 420 & 34 of the Indian
Penal Code and section 27(ii) 28, 28A, 36AC, 30(a) of Drugs
and Cosmetic Act and NDPS Act 22(b), 1985.

As per allegation in the FIR, Drug Inspector,
Bhagalpur had visited Ishakchak police station where the police
has already arrested two accused persons, namely, Chhotu



Kumar and Chhotu Das and some drugs containing CODINE had been recovered from their possession. The Drug Inspector made inquiries from the apprehended person who disclosed the name of their associates including the petitioner herein.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case due to suspicion on the basis of confessional statement of apprehended person, which has no evidentiary value in the eye of law. He has got no criminal antecedent. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Ishakchak P.S. Case no. 85 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each



to the satisfaction of learned Additional Sessions Judge-IV,
Bhagalpur subject to the conditions as laid down under section
438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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