

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44239 of 2021

Arising Out of PS. Case No.-198 Year-2020 Thana- JAKKANPUR District- Patna

CHANDAN KUMAR S/O PAPPU PASWAN R/o village- Mogal Bigha, P.S.-
Makhdumpur, Distt.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

The petitioner seeks bail in connection with Special
Case No.52 of 2020 arising out of Jakkanpur P. S. Case No.198
of 2020, instituted for the offences under Sections 401, 414 of
the Indian Penal Code read with Sections 8c/21/c/25/29 of the
N.D.P.S. Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 05.11.2020, he is a person with
clean antecedent and charge-sheet has been submitted against
him.

The learned counsel for the petitioner submits that the
allegation is of recovery of 120 grams of brown-sugar and 100
grams of charas from a Bolero vehicle from which three accused



persons were apprehended, who disclosed their name. It is further alleged that the apprehended accused disclosed the name of this petitioner, who is alleged to have fled from the place of occurrence after seeing the police.

The learned counsel for the petitioner submits that the name of this petitioner transpires in the statements of the co-accused, who were apprehended at the spot from the vehicle from which the alleged narcotic was recovered. The learned counsel further submits that petitioner was not even present there and his name transpired merely because he is known to the accused. It is also submitted that since he was not apprehended from the spot, as such, nothing was recovered from his possession also.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody since 05.11.2020, he is a person with clean antecedent and charge-sheet has been submitted against him, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XVI, Patna in



connection with Special Case No.52 of 2020 arising out of
Jakkanpur P. S. Case No.198 of 2020.

The application stands allowed.

(Satyavrat Verma, J)

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