

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50517 of 2021

Arising Out of PS. Case No.-30 Year-2021 Thana- THAWE District- Gopalganj

AJAY SINGH Son of Dharmnath Singh Resident of Village- Lakhri Khurd,
P.S.- Barharia, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ayush Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2021 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner is directed to remove
the defects, as pointed out by the Office, within a period of eight
weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 399, 402, 414 of the Indian Penal Code
and 25(1-b)a, 26, 35 of the Arms Act and 8(c) and 20(a) of the
N.D.P.S. Act.

The prosecution allegation, in short, is that 50 grams
charas and one country made pistol are recovered.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has falsely been implicated in the present case. 50 grams charas and



one country made pistol are recovered from the possession of co-accused. There is no recovery of any incriminating articles from the possession of this petitioner. The name of the petitioner has transpired on the basis of disclosure made by the co-accused. Except for this, there is no other substantive evidence to suggest his implication in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge, Gopalganj in connection with Thawe P.S. Case No. 30/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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