

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33830 of 2021**

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

Md. Shahil @ Md. Shahid Khan S/O Md. Affo Khan @ Md. Asfaque Khan
R/O Mohalla-Bhikhanpur Gumti No 2, P.S.-ISHAK Chak, District-Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 24-02-2022 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is apprehending his arrest in a case registered in connection with Ishak Chak P.S.Case No. 85 of 2020 for the offences punishable under Sections 188,272,273,420/34 of the Indian Penal Code and section 27 (b) (ii), 28,28A 36AC, 30(a) Drugs and cosmetic Act and NDPS Act.

As per allegation in the F.I.R Drug Inspector, Bhagalpur has visited Ishakehak police station where the police has already arrested two accused persons and some drugs containing CODINE has been recovered from their possession. The Drug Inspector has interrogated the two accused persons, who disclosed the name of their associates including the



petitioner.

Learned counsel for the petitioner submits that the name of petitioner has been surfaced on the basis of confessional statement of apprehended two accused persons, which has no evidentiary value in the eye of law. Petitioner has got no criminal antecedent. On similar footing other co-accused has been granted bail by this Court in Cr. Misc. No. 19140 of 2021 vide order dated 15.12.2021.

Learned Additional Public Prosecutor opposes the bail prayer of the petitioner.

Considering the facts and circumstance of the case as well as submission of the parties, let the above named petitioner, in the event of his arrest or surrender before the Court Below within a period of four 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 4th Additional Sessions Judge, Bhagalpur in connection with Ishak Chak P.S. Case No. 85 of 2020 subject to the conditions as laid down under Section 438(2) of the Cr.P.C

(Sunil Kumar Panwar, J)

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