

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49226 of 2021

Arising Out of PS. Case No.-441 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

CHHOTAK MINYA @ CHHOTAK MIYAN @ CHHOTE ANSARI @
RAJADDIN ANSARI Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 8, 20(b)(ii)(C) and 29 of the N.D.P.S. Act.

As per the prosecution case, two accused namely, Dipak Kumar and Pradip Kumar were arrested and a total of 166 kgs of Ganja was recovered from the vehicle in question. It is further stated that on inquiry the said two accused persons named five other accused persons including the petitioner herein as their accomplice.

It is submitted by learned counsel for the petitioner that neither the petitioner was arrested at the spot nor any incriminating article has been recovered from his possession. He has no concern with the seized ganja or with the vehicle



from which the same was recovered. The only material against him is the confessional statement of the co-accused made before police and the aforesaid co-accused Dipak Kumar and Pradip Kumar Yadav have themselves been enlarged on bail vide order dated 10.9.2020 (Annexure 2) passed in Cr. Misc. no. 20254 of 2020. The petitioner is in custody since 8.6.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the grant of bail to the two co-accused namely Dipak Kumar and Pradip Kumar Yadav on whose confessional statement before police the name of the petitioner transpired and the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Udwanthnagar (Gajrajganj) P.S. Case no. 441 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Bhojpur at Ara.

(Partha Sarthy, J)

Prakash/-

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