

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41322 of 2022

Arising Out of PS. Case No.-477 Year-2021 Thana- JAGDISHPUR District- Bhojpur

BALIRAM CHAUDHARY S/o Ram Dayal Choudhary Resident of Ward
No.3, Pasi Tola, Jagdishpur, P.S.- Jagdishpur, District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 21(b) of the N.D.P.S. Act.

Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that Raju was apprehended from whose possession 1.26 Grams of heroine was recovered who disclosed the name of the petitioner who gave heroine to sell.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession. It is



also submitted that alleged recovery of heroine from Raju is less than small quantity.

Learned counsel for the petitioner next submits that petitioner will not evade the law rather will cooperate in the investigation and will present himself as and when required by the Investigating Officer of the case so that the truth comes out.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Jagdishpur P.S. Case No. 477 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

One of the bailors shall be the father of the petitioner namely Ram Dayal Choudhary.

Further, in the event, if the Investigating Officer of the case files an application before the learned Trial Court bringing



to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself when called, the learned Trial Court after giving an opportunity of hearing to the petitioner shall pass order in accordance with law and shall also have liberty to cancel his bail bonds and to ensure that all coercive steps are taken so that petitioner is behind bars.

Learned Trial Court is directed to send a copy of this Order to the concerned P.S.

Further, if the investigating Officer after investigation submits charge sheet against the petitioner, then also the learned trial court shall be at liberty to pass order in accordance with law.

(Satyavrat Verma, J)

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