

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11417 of 2023**

Arising Out of PS. Case No.-878 Year-2021 Thana- ARA NAGAR District- Bhojpur

CHHOTU SINGH Son of Veera Singh Resident of Village- Neknam Tola,  
P.S.- Barahara, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shiv Prasad Gupta, Adv.

For the Opposite Party/s : Mr.Anita Kumari, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      11-05-2023              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 Sections 21(b), 27, 29 of the  
N.D.P.S. Act.

Allegedly 2.45 gram, mobile phone and some cash have  
been recovered from the conscious possession of co-accused  
Randhir Kumar whereas 1.09 gram Heroine has been recovered  
from the conscious possession of co-accused Ajay Chaudhary.  
They disclosed the name of the petitioner that he is also  
involved in the business of the narcotic substance.

It is submitted by learned counsel for the petitioner that  
petitioner is quite innocent and has committed no offence. No  
such occurrence as alleged ever took place. He has been falsely  
implicated in this case due to ulterior motive. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. The seized narcotic substance has not been recovered from the conscious possession of the petitioner. Similarly situated co-accused has been enlarged on bail by a co-ordinate bench of this court vide order dated 12.09.2022 passed in Cr. Misc. No. 23913 of 2022. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioner is serious in nature, hence he does not deserve anticipatory bail.

Considering the facts and circumstances of case as well as the nature of the offence, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order in accordance with law without being prejudiced by this order on the very date of surrender.

**(Anjani Kumar Sharan, J)**

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