

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21799 of 2023**

Arising Out of PS. Case No.-188 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

MD. FAIYAZ SON OF LATE MD. MANJOOR @ MANAGO R/O
MOHALLA- AHAMADKHANI WEST PURAINI, P.S.- JAGDISHPUR,
DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 24-06-2023 Heard Mr. Davendra Kumar Pandey, learned
counsel appearing on behalf of the petitioner and Mr. Anil
Kumar, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Jagdishpur P.S. Case No. 188 of 2021, dated 08.06.2021,
registered under Sections 20/22 of the N.D.P.S. Act.

3. The prosecution case, in brief, is that 1.25 gm.
marijuana recovered from the possession of co-accused Md.
Sajjad.

4. Learned counsel appearing on behalf of the
petitioner submitted that considering the specific allegation
made in the F.I.R. is against the co-accused Md. Sajjad as well



as recovery of 1.25 gm. marijuana from his possession falsify the story of alleged allegation made against the petitioner, who has carried out marijuana in his possession cannot be sustained. The petitioner has clean antecedent and on these grounds the petitioner seeks to be released on pre-arrest bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made against the petitioner as well as the fact that 1.25 gm. marijuana was recovered from the possession of co-accused namely Md. Sajjad, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIII, Bhagalpur in connection with Jagdishpur P.S. Case No. 188 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The Court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph no. 3 of the bail application, this order will



automatically loose its force.

(Purnendu Singh, J)

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