

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22031 of 2023

Arising Out of PS. Case No.-215 Year-2022 Thana- INDUSTRIAL District- Bhagalpur

Md. Abdul Sattar @ Md. Sattar, Son of Late Md. Siraj Resident of village-
Mukeri Tola, Fatehpur, P.S. Industrial Area, District-Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-06-2023 Heard Mr. Rajive Ranjan Singh, learned counsel

appearing on behalf of the petitioner and Mr. Umanath Mishra,

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Industrial Area P.S. Case No. 215 of 2022, registered
under Sections 20(b)(ii)(c)/22 of the N.D.P.S. Act.

The allegation is of recovery of 44 Kg of
Marijuana (Ganja) from the possession of the accused persons
named in the F.I.R. including the petitioner.

Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and he has
falsely been implicated in this case due to enmity. The
petitioner has no criminal antecedent. The petitioner has been
roped in the present case due to enmity with the person, who



was arrested on the spot along with alleged Marijuana. He further submitted that the alleged recovery of Marijuana, laptop, mobile etc., as mentioned in the seizure-list, does not belong to the petitioner, rather, the same has been recovered from the possession of co-accused.

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

Having considered the rival submission of the parties as well as from the perusal of the F.I.R. it appears that in course of search, 44 Kg of Marijuana, laptop and mobile etc. were recovered from bus bearing registration No. BR-11N-4294 from the possession of co-accused, 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. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Bhagalpur in connection with Industrial Area P.S. Case No. 215 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(1) 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.

(2) The petitioner will make his attendance before the concerned Police Station under which his house is located every fortnight till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the Police Station shall submit his monthly attendance report to the Superintendent of Police having jurisdiction.

(Purnendu Singh, J)

manish/mini

U		T	
---	--	---	--

