

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34671 of 2023

Arising Out of PS. Case No.-84 Year-2019 Thana- JOGBANI District- Araria

=====

Shambhu Pandey @ Vijay Pandey @ Vijay Kumar Pandey @ Bhasker @
Mama Son Of Late Hare Krishna Pandey R/O Village- Dahariya, P.S-
Chhatapur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Y. Madhavi, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-07-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 21, 22 of the N.D.P.S. Act read with Section 27(B), 28, 36 of the Drugs & Cosmetics Act.

3. As per the prosecution case, the informant got a secret information that co-accused Amit Kumar had kept intoxicating drugs at his residence. Thereafter, he along with other police personnel reached at the house of Amit Kumar from where some persons, on seeing the police managed to escape from there. One apprehended persons disclosed the name of



Amit Kumar and his associates.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that on the basis of confessional statement of Amit Kumar the petitioner has been made accused in this case. He further submits that nothing was recovered either from the house of the petitioner or from his constructive possession rather admittedly the article was recovered from the house of Amit Kumar. He also submits in para-10 of the bail application that the petitioner is suffering from third stage of cancer and is admitted in Tata Memorial Hospital and is under treatment. Petitioner has four criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the illness of the petitioner, 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 six weeks from today, on furnishing bail bond of Rs. 25,000/-



(Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Jogbani P.S. Case No. 84 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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

