

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34059 of 2023

Arising Out of PS. Case No.-135 Year-2023 Thana- BARACHATTI District- Gaya

ARBIND BHAGAT @ ARVIND BHAGAT Son of Shiv Datt Bhagat Resident
of Mohalla - Adarsh Colony, Bharech Nagar Sandi, P.S. - Mandu Marar, Distt.
- Patratu (Ramgarh)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-07-2023 Heard the parties.

The petitioner apprehends his arrest in connection with Barachatti P.S. Case No. 135 of 2023 for the offence punishable under Sections 18,20,22 of the N.D.P.S. Act lodged on 02.02.2023 by the informant Rupesh Kumar.

As per the prosecution story, the police upon information seized the truck found near the petrol pump recovered/seized 900 gm. 'doda' (poppy stray). Accordingly the FIR.

Learned counsel for the petitioner submits that the petitioner is the owner of vehicle and nothing to do with the alleged recovery and he was not arrested on the spot and further he do not have criminal antecedent.



Learned APP opposes the prayer.

Taking into account the aforesaid submissions put forward by the learned counsel for the petitioner, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioner, in the event of his arrest or surrender within a period of four weeks from the date of the receipt of the order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, N.D.P.S. Act, Gaya, in connection with Barachatti P.S. Case No. 135 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his



attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Jyoti/-

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

