

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62679 of 2023

Arising Out of PS. Case No.-126 Year-2023 Thana- DHAKA District- East Champaran

Kunj Bihari Sah S/O- Ram Ekbal Sah Village- Pachpakari W.No-8,
Pachpakari Dhaka Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Asif Kalim

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 21, 22 and 37 of the NDPS Act.

3. As per the prosecution case, there is recovery of 8 K.G. 900 grams SPASMO-PROXYVON PLUS tablets from the possession of co-accused who disclosed that the other co-accused Krishna Bihari Sah had given those tablets to them.

4. It is submitted on behalf of the petitioner that petitioner is not named in the F.I.R. He has been made accused in this case because he happens to be brother of co-accused Krishna Bihari Sah. No incriminating material has been recovered from the possession of the petitioner. Petitioner has



got clean antecedent.

5. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran/concerned court below in connection with Dhaka P. S. Case No. 126 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure

(Prabhat Kumar Singh, J)

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