

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4413 of 2024

Arising Out of PS. Case No.-572 Year-2023 Thana- PURNEA SADAR District- Purnia

Ajay Kumar Son Of Dev Narayan Das Resident Of Village- Ward No. 31,
New Tola, B.B. Ganj, Ps- Purnea Sadar, Distt- Purnea

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dheeraj Kumar, Adv.

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Purnea Sadar P.S. Case No. 572 of 2023 dated 25.06.2023 registered for the offences punishable u/ss 8(c) and 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, 4.2 gms. of smack/ brown sugar was recovered from the field which was thrown by the petitioner. 7.8 gms of smack/ brown sugar was recovered from the co-accused, Pawan Kumar.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner was disclosed by the co-



accused person. It is further submitted that the petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that the seized contraband is of small quantity hence, no case is made out. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Purnea in connection with Purnea Sadar P.S. Case No. 572 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with further condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates



without reasonable cause, the
prosecution will be at liberty to move
for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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