

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19426 of 2024

Arising Out of PS. Case No.-282 Year-2023 Thana- BAUNSI District- Banka

Dasu Sah @ Das Narayan Sah S/o Late Jagdish Sawarnkar R/o vill - Milki
Rangpura, P.S. - Mirganj, Distt. - Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-04-2024 1. 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 offence punishable under Sections 8, 20(b)
(ii), B and 25 of the N.D.P.S. Act.

3. Learned counsel for the petitioner submits that
petitioner is a senior citizen and is a person with clean
antecedent and has been falsely implicated in the instant case by
the informant with an allegation that 2 kilograms of ganja was
recovered from a vehicle. It is next submitted that one Sujit
Kumar was apprehended at the spot along with ganja in the car.
It is next submitted that Sujit is son of the petitioner and it is not
the case of the prosecution that they saw anyone fleeing from
the place of occurrence. It is next submitted that a person who



has remained a person with clean antecedent all through out his life whether he would indulge in such an activity. It is further submitted that even the alleged recovery is much less than the commercial quantity but a little more than the small quantity. It is further submitted that since the vehicle being registered in the name of the petitioner as such he has been implicated but then the police investigates in a mechanical manner and petitioner is paying the price of being father of Sujit Kumar. It is also submitted that the petitioner will not abscond rather will co-operate in the investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bounsi P.S. Case No.282/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



6. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioner despite giving assurance to this court is not co-operating in the investigation or not presenting himself when required, in that event the learned trial court shall be at liberty to cancel the bail bond of the petitioner.

(Satyavrat Verma, J)

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