

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20992 of 2024

Arising Out of PS. Case No.-249 Year-2023 Thana- DELHA District- Gaya

Sonu Kumar Son Of Birendra Paswan @ Virendra Paswan Resident Of
Chhotaki Nawadah, P.S.- Delha, District - Gaya, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyadarshi Pankaj Raj Anand, Advocate
For the State : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard Mr. Priyadarshi Pankaj Raj Anand, learned
counsel for the petitioner and Mr. Nirmal Kumar Sinha, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Delha P.S. Case No. 249 of 2023, F.I.R. dated
05.10.2023 for the offences punishable under Sections 8(c),
21(a) and 29 of the N.D.P.S. Act.

3. According to prosecution case, 10 packets of
smack total weighing 2.100 gram was recovered.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that petitioner
has been made accused merely on the basis of the confessional
statement of the co-accused person, namely, Birendra Paswan,
who happens to be the father of the petitioner and he stated in



his confessional statement that the petitioner was also involved in the present case. Learned counsel for the petitioner submits that the recovery is not a commercial quantity, therefore, the petitioner may be given the privilege of anticipatory bail.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that recovery of contraband is in possession of the co-accused person and he confessed that petitioner was also involved in the present case, the co-accused is father of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that although the recovery of contraband is less than the commercial quantity but the father of the petitioner has confessed the involvement of the petitioner in the present case, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Delha P.S. Case No. 249 of 2023 pending in the court of District and Sessions Judge, Gaya.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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