

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27772 of 2024

Arising Out of PS. Case No.-150 Year-2023 Thana- BHAPTIAHI District- Supaul

Anil Kumar, S/o Kamal Narayan Yadav, R/o Village- Saraigarh, ward no. 11,
P.S. - Bhaptiyahi, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate
Mr. Md Nematullah, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-07-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Bhaptiyahi P.S. Case no. 150 of 2023 registered under sections 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, on the tempo vehicle in question being stopped by police personnel for search it is stated that the driver of the vehicle as also two other persons managed to escape. 1197 bottles of Codeine Phosphate and Triprolidine Hydrochloride Syrup was recovered. The two persons who managed to escape were identified as Rajesh Kumar and Gopal Yadav and the F.I.R was registered against them as also the driver.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case only for the reason that he happens to be the owner of the vehicle. Neither the petitioner was arrested at the spot nor any incriminating article recovered from his possession. He has no criminal antecedent and undertakes to cooperate in the case.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R., the petitioner not having arrested at the spot and not having any antecedent under the N.D.P.S. Act, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bhaptiyahi P.S. Case no.150 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Judge, Supaul.

(Partha Sarthy, J)

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