

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40025 of 2024

Arising Out of PS. Case No.-188 Year-2024 Thana- PHULWARISHARIF District- Patna

Amarjeet Kumar, Male, aged about 25 years, Son of Ram Ugrah Mahto,
Resident of Kedarnath Gali, P.S. - Phulwari Sharif, District – Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anuj Dilbar Krishna, Advocate
For the Opposite Party : Mr. Binod Kumar, A.P.P.

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

ORAL ORDER

3 15-07-2024 This matter has been listed under the heading ‘For
Orders (on office notes)’.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks bail in connection with Phulwari
Sharif P.S. Case No. 188 of 2024 dated 05.02.2024 for the
offences punishable under Sections 8(c) and 21(a) of the
N.D.P.S. Act.

4. As per the prosecution case, the petitioner was
apprehended and smack kept in two puriyas weighing 0.08
gms., was recovered from the pocket of the pant of the
petitioner.

5. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that from perusal of the F.I.R. as well as seizure list, it appears that only with paper 0.48 and without paper 0.08 gram *smack* was recovered from the possession of the petitioner which is below the small quantity. The petitioner being a driver of the auto was waiting for the passengers and in the meantime, police came there and caught him and demanded money and on non-fulfilment of the same, he took his signature on the seizure list and on other papers and has falsely implicated the petitioner in the present case. No incriminating article has been recovered from the possession of the petitioner. The petitioner has one criminal antecedent which is of similar nature as stated in paragraph no. 3 of the bail application. The petitioner is in custody since 06.02.2024.

6. Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, is directed to 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 Special Judge, N.D.P.S.-2, Patna in connection with Phulwari Sharif P.S. Case No. 188 of 2024



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 bail bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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