

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47023 of 2024

Arising Out of PS. Case No.-91 Year-2024 Thana- KRITYANAND NAGAR District- Purnia

Guddu @ Gulab Raza S/o Md. Jainul @ Jainul Haque R/o vill - Kodgama,
ward no. 08, P.S. - K. Nagar, Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ajit Kumar Singh, Advocate
For the State : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act and later on, Section 21(C) of Narcotic Drugs and Psychotropic Substances Act was added.

3. As per prosecution case, 1.1 Kg. *Codeine* added cough syrup was recovered from possession of co-accused Md. Suleman, who disclosed name of this petitioner as supplier of the seized contraband.

4. It is submitted by learned counsel appearing on behalf of the petitioner that nothing has been recovered from conscious possession of this petitioner and he has been made an accused in this case on the basis of confessional statement of co-accused Md. Suleman. Except confessional statement, there is



no material on record to show the complicity of this petitioner in the alleged offence. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation, fact that nothing has been recovered from conscious possession of this petitioner and clean antecedents, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (I/C), N.D.P.S. Act, Purnea, in connection with K. Nagar (Srinagar) P.S. Case No. 91 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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