

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56947 of 2024**

Arising Out of PS. Case No.-360 Year-2024 Thana- MADHEPURA District- Madhepura

Ramkrish Kumar Son of Dinesh Yadav Village- jaipalpatti, Ward no. 14, P.S.
and Dist- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP.

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Madhepura P.S. Case No.360 of 2024 instituted under Sections 08 (c), 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, during Police raid two co-accused persons were arrested by the Police from whom 10 gram smack was recovered. The apprehended accused disclosed the name of petitioner that he is also involved in the business of narcotics.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case on the basis of disclosure made by the co-accused due to inimical term with the co-accused. He further submits that the petitioner was neither driving the alleged motorcycle, nor he is the owner of motorcycle. Learned counsel submits that petitioner was



neither present on the spot and except the disclosure statement, there is no material against the petitioner. He further submits that the petitioner is a 22 years old boy having clean antecedent and he is ready to cooperate in the investigation and trial. He also submits that the recovery of smack from the co-accused is below the commercial quantity.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned 1st Additional District & Sessions Judge-cum-Spl. Judge, SC/ST (POA), Madhepura in connection with Madhepura P.S. Case No.360 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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