

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68120 of 2024

Arising Out of PS. Case No.-361 Year-2023 Thana- KORHA District- Katihar

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Kishan Paswan Son of Shagina Paswan @ Shogendra Paswan, Resident of
Village - Korha, P.S. - Korha, District - Katihar

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 18-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Special (NDPS) Case No.48 of 2023 (sos) arising out of Korha
P.S. Case No.361 of 2023 instituted under Sections 8(c), 21(b)
and 22 of the N.D.P.S. Act.

3. As per prosecution case, two co-accused persons have
been arrested with 100 grams of smack and they disclosed that
they were going to deliver it to the petitioner and two other co-
accused persons, namely, Ganesh Sah and Prem Kumar.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case on the basis of disclosure statement of co-accused persons.
Nothing has been recovered from possession of the petitioner.



The petitioner was neither present on the spot nor he has concern with the co-accused persons. Except disclosure statement of apprehended accused persons, there is nothing material against the petitioner. The petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and the trial.

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 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge (NDPS Act), Katihar in connection with Special (NDPS) Case No.48 of 2023 (sos) arising out of Korha P.S. Case No.361 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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