

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68038 of 2023

Arising Out of PS. Case No.-174 Year-2023 Thana- TEGHRHA District- Begusarai

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GOLU KUMAR @ ASHISH RANJAN SON OF SRI SANJAY SINGH
RESIDENT OF VILLAGE - MADHURAPUR, PS - TEGHRA, DISTT-
BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 07-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 21 and 22
of the NDPS Act and Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

4. It is very fairly submits that no doubt the
allegations are serious as the case has been instituted under
Sections 21 and 22 of the NDPS Act read with Section 30(a) of
the Bihar Prohibition and Excise (Amendment) Act, 2018 but
then from perusal of the seizure list, it would manifest that the
liquor and Codeine syrup was recovered from a place near the



house of one Ram Vinay Singh. It is further submitted that petitioner has no concern with Ram Vinay Singh and he came to be implicated based on secret information which is the easiest way to implicate someone. It is next submitted that no doubt petitioner carries one antecedent but then the same is not under the NDPS Act and the entire allegation hinges around secret information. It is also submitted that petitioner will not abscond rather will cooperate in the investigation.

5. Mr. Chandra Bhushan Prasad, learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that no doubt petitioner was not apprehended from the place of occurrence but then the allegations are serious. It is further submitted that in the event if the anticipatory bail is granted to the petitioner, he may tamper with the evidence.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where



the case is pending/successor court in connection with Teghra P.S. Case No. 174 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. as well as subject to the following conditions:-

7. One of the bailors of the petitioner shall be his father, namely, Sanjay Singh.

8. It is made clear that if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation in that event the learned trial court shall be at liberty to forthwith cancel the bail bonds of the petitioner and to take all coercive steps to ensure that petitioner is behind bar.

9. It is further made clear that if the police after investigation submits charge-sheet connecting the petitioner with the offence in that event the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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