

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71620 of 2024

Arising Out of PS. Case No.-158 Year-2024 Thana- DHANAHA District- West Champaran

Karan Patel Son of Guddu Patel Resident of Village- Dihi, P.S. - Dhanha,
District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-10-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Dhanaha P.S. Case No. 158 of 2024, registered for the offences punishable under Sections 8 and 20(b)(ii), (B) of the NDPS Act, 1985.

3. As per the allegation, there is recovery of 1.350 Kg of ganja from the house of the co-accused Sanjay Patel and the name of the petitioner has transpired only in the confessional statement of co-accused Mutur Verma, who has already been arrested.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that he has been implicated on account of suspicion and there is no cogent evidence against the petitioner. The amount of recovered contraband is very small.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Special Judge (N.D.P.S.)-cum-Sessions Judge, West Champaran, Bettiah in connection with Dhanaha P.S. Case No. 158 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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