

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75619 of 2024

Arising Out of PS. Case No.-1074 Year-2023 Thana- SASARAM NAGAR District- Rohtas

Upendra Kumar Pandey @ Musbaba S/O Late Dhunmun Pandey @ Kaushal
Kishor Pandey @ Chunmun Pandey R/O Village- Indra Chouk Chenari Dih,
P.S-Chenari District -Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Santosh Kumar Singh S/O Sri Yogeshwer Prasad Singh R/O Village-
Tarachauri Manhar, P.S.- Mahnar, Distt- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-11-2024 Heard Learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending arrest in
connection with Sasaram Town (Darigaon) P.S. Case No.1074
of 2023, registered for the offences punishable under Sections
20(b)(ii)(B)/22(b) of the N.D.P.S. Act, 1985.

3. As per the prosecution, FIR has been lodged
against three named accused persons including the present
petitioner. From the content of the FIR, it transpires that
recovery of 9.990 Kgs of Ganja has been the subject matter of
the present case and apprehended accused persons have
disclosed that they were going to deliver the said Ganja to the



petitioner.

4. Learned Counsel for the petitioner submits that petitioner is innocent and has committed no offence. Counsel submits that antecedent of the petitioner is clean and his name has come in this case only on the basis of confessional statement of co-accused. The said Ganja, which is much below the commercial quantity, was going to be delivered by them to the petitioner. Counsel further submits that the local police has implicated his name in this case with ulterior motive. He submits that nothing has been recovered from the conscious possession of the petitioner.

5. Learned Additional Public Prosecutor for the State opposes the prayer for bail and submits that apprehended accused persons have disclosed the name of the petitioner that they were going to deliver the said Ganja to the petitioner.

6. In the present facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs.30,000/- (Three Thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge, Rohtas at Sasaram, in connection with Sasaram Town



(Darigaon) P.S. Case No. 1074 of 2023, subject to the conditions
as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Dr. Anshuman, J)

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