

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79403 of 2024

Arising Out of PS. Case No.-593 Year-2024 Thana- JAHANABAD District- Jehanabad

1. Savita Devi W/o- Birju Chaudhary R/M - Ambedkar Nagar, P.S - Jehanabad, Distt - Jehanabad
2. Sonu Kumar S/o- Birju Chaudhary R/M - Ambedkar Nagar, P.S - Jehanabad, Distt - Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-11-2024

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for grant of anticipatory bail apprehending their arrest in connection with Jehanabad P.S. Case no.593 of 2024 registered for the offence punishable under sections 8(c) and 21(b) of the N.D.P.S.Act.

3. As per the prosecution case, one Shahil Ansari was arrested and on search 24.1 grams of smack was recovered from his possession. It is further stated that on enquiry he disclosed that the two petitioners herein were involved in illegal trade of smack with him.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. From



the contents of the FIR it would be evident that the petitioners were not arrested at the spot nor any incriminating article has been recovered from their possession or from their house. The petitioners have no concern either with the said coaccused Shahil Ansari nor they have any antecedent under the N.D.P.S. Act. The only case against the petitioner no.1 is one case under the Bihar Prohibition and Excise Act, 2016 as stated in paragraph no.3 of the petition. They undertake to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the F.I.R., the name of the petitioners having transpired in the statement of coaccused made before the police, neither of the petitioners having been arrested at the spot nor any incriminating article having been recovered from their possession or from their house, it is directed that both the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Jehanabad P.S. Case no.593 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Principal District and Sessions Judge, Jehanabad.

(Partha Sarthy, J)

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