

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83876 of 2023

Arising Out of PS. Case No.-707 Year-2022 Thana- PHULWARISHARIF District- Patna

SAURABH KUMAR @ DK @ DAVID SON OF BHIM KUMAR @ BHIM
PANDIT RESIDENT OF RASHTRIYAGANJ, POLICE STATION -
PHULWARISHARIF, DISTRICT - PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr.Meena Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 20-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Spl. (NDPS) Case No. 110(A)/2022 dated arising out of Phulwarisharif P.S. Case No. 707 of 2022 registered for the offences punishable u/ss 8(C), 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, 33.39 gms. of brown sugar was recovered from the possession of the co-accused persons who disclosed that the said contraband belongs to the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The name of the petitioner was disclosed by the apprehended co-accused persons. It is further submitted that the petitioner has no concern with the seized contraband or with the other co-accused persons. The petitioner has two criminal antecedents which are not related to the similar nature of offence as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Patna in connection with Spl. (NDPS) Case No. 110(A)/ 2022 arising out of Phulwarisharif P.S. Case No. 707 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with the further condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates



*without reasonable cause, the
prosecution will be at liberty to move for
cancellation of his bail bond.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

