

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4502 of 2024**

Arising Out of PS. Case No.-413 Year-2023 Thana- GOVINDGANJ District- East  
Champaran

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Ram Babu Sah Son of late Narayan Sah Resident of Village - Ward No. 8,  
Sareya, Police Station - Govindganj, District - East Champaran, Presently  
residing at Kurmi Tola, Ward No. 11, Village- Sareya, Police Station- Govind  
ganj, District- EAst Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      19-02-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection  
with Govindganj P.S. Case No. 413 of 2023, registered for the  
offences punishable under Sections 20(b)(ii)(b)/23(b)/29 of  
the N.D.P.S. Act.

3. Learned counsel for the petitioner submits that the  
petitioner is a person of clean antecedent and one Bindu  
Devi was arrested with 19kg 700 gm of Ganja from her  
house, the said Bindu Devi disclosed the name of the  
petitioner and one Mohan Sah who was involved in the  
occurrence. It is further submitted that the petitioner is the



father-in-law of Bindu Devi and he came to be implicated in the case for the reason that he is having dispute with his son (Mohan Sah), who is husband of Bindu Devi. It is next submitted that even alleged recovery is less than commercial quantity and the petitioner will not abscond rather will co-operate in the investigation. It is next submitted that the petitioner was not apprehended from the spot and confessional statement in police custody does not have any evidentiary value.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. 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 Chief Judicial Magistrate, East Champaran, Motihari, where the case is pending/successor court in connection with Govindganj P.S. Case No. 413 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



6. Further it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bond of the petitioner.

(Satyavrat Verma, J)

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