

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4371 of 2024

Arising Out of PS. Case No.-289 Year-2023 Thana- SINGHESHWAR District- Madhepura

Sonu Yadav @ Sonu Kumar @ Soni Kumar @ Sonu Kumar Yadav, Male,
aged about 28 years, S/O Subhash Yadav, R/O Village- Larha, P.S.
Singheshwar, Dist. Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amarnath Jha, Advocate
For the Opposite Party : Mr. Mohammed Arif, A.P.P.

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

ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Singheshwar P.S. Case No. 289 of 2023 registered for the offences punishable under Sections 21 (C) of the N.D.P.S. Act and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution case, total 1182 pieces of cough syrup with Codine was recovered from a car driven by the co-accused Ranjit Kumar. The co-accused Vikash Kumar was also in the said car. The apprehended co-accused persons disclosed the name of the petitioner.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has been falsely implicated in this case. The name of the petitioner has sprung up in the present case on the basis of the confessional statement of the co-accused. The petitioner has no concern with any of the alleged recovered articles. The petitioner has been made accused in the present case due to dirty village politics. No incriminating article has been recovered from the conscious possession of the petitioner. There is no compliance of Section 100 of Cr.P.C. The seized contraband is of commercial quantity. The petitioner has two criminal antecedents as stated in paragraph no. 3 of the bail application.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Madhepura, in connection with Singheshwar P.S. Case No. 289 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with further



conditions:-

(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 bail bonds of the petitioner are liable to be cancelled.

2. If the petitioner is found involved in any other similar nature of case in future, the prosecution will have liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

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

