

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12831 of 2025

Arising Out of PS. Case No.-739 Year-2024 Thana- NAGAR District- Vaishali

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Ramlal Paswan @ Ramlal Bhagat S/o- Bindeshwar Bhagat @ Rajeshwar
Bhagat R/o Village- Near Jadua Pul, P.S. Nagar Hajipur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Ms. Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-04-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 8(c), 21(b),
22 & 29 of N.D.P.S. Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that Sunny Kumar was apprehended with 17.23 grams of
smack and disclosed the name of the accused persons including
the petitioner who fled on seeing the police force. It is next
submitted that petitioner was not arrested from the spot as such
nothing was recovered from his conscious possession and he
was not even present at the place of occurrence but then came to
be implicated at the instance of Sunny with whom he is on an



inimical term. It is further submitted that confessional statement of an accused 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 and submits that the case has been registered under the NDPS Act and the petitioner is alleged to have fled on seeing the police force. It is also submitted that if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which, the learned counsel for the petitioner submits that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

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.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Town P.S. Case No.739/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. Further, one of the bailors of the petitioner shall be



his father namely Bindeshwar Bhagat @ Rajeshwar Bhagat.

7. However, 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 bonds of the petitioner.

8. Let a copy of this order be sent to the concerned P.S. through the learned trial court.

(Satyavrat Verma, J)

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