

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19854 of 2025

Arising Out of PS. Case No.-294 Year-2024 Thana- PIPRA District- East Champaran

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Harishankar Rai Son of Mahendra Rai Resident of Village - Chitriya, P.S. -
Kotwa, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Subodh Kumar Barnwal, Advocate
For the State : Mr. Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-04-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 21(b), 22,
24, 27(a) and 29 of the N.D.P.S Act.

3. As per prosecution case, on secret information a
raid was conducted and four accused persons were apprehended
and upon search, 4 Kg Ganja was recovered from their
possession. The apprehended persons disclosed name of this
petitioner as seller of the seized contraband.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is quite innocent and has



committed no offence. No incriminating article has been recovered from conscious possession of this petitioner and he has been made an accused in this case merely on the basis of confessional statement of co-accused persons who were apprehended at the spot. Except confessional statement there is no material on record to show the complicity of this petitioner in the alleged offence. Petitioner claims clean antecedents.

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

6. Considering the nature of accusation, the fact that no incriminating article has been recovered from conscious possession of this petitioner and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Court II, N.D.P.S. Act, East Champaran, Motihari in connection with Pipra P.S. Case No. 294 of 2024, subject to condition as



laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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