

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23093 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- JAYNAGAR District- Madhubani

Dharmendra Chourwar @ Dharmendra Kumar S/o- Ganga Chourwar R/o
village - Khairamath , P.S.- Jaynagar , District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Adv Mr. Ravi Prakash, Adv Mr. Udeshya Kr. Yadav, Adv
For the Opposite Party/s	:	Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-05-2025 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 offences punishable under Sections 317(5),
3(5), 8(c), 21(b), 21(c), 22(c) of NDPS Act and Section 30(a) of
Bihar Prohibition and Excise Act.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of one case. It is next submitted that
from perusal of allegation as alleged in the FIR, it would
manifest that petitioner was not apprehended from the spot and
his name transpired in the confessional statement of the
apprehended accused, who disclosed that they purchased brown
sugar from the petitioner. Learned counsel thus submits that any



confession made before the police is not admissible in evidence. It is next submitted that during the course of investigation also, nothing has come, which could even remotely connect the petitioner with the offence except for confession.

4. Learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that it is a case under the NDPS Act and the allegations are serious, the name of the petitioner transpired in confessional statement of apprehended accused disclosing that the petitioner is supplier of brown sugar. It is next submitted that investigation is in its nascent stages and in the event if the privilege of anticipatory bail is granted to the petitioner, in that event, the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will cooperate 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 trial court 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 Jaynagar P.S. Case No. 37 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

6. One of the bailors of the petitioner shall be his father, Ganga Chourwar.

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 cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

8. It is further made clear that if charge sheet is submitted connecting the petitioner with the offence, in that event, the present anticipatory bail order shall lose its effect.

9. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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