

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28649 of 2025

Arising Out of PS. Case No.-295 Year-2022 Thana- BAISI District- Purnia

Deepak Bosco @ Dipak Baiso @ Dipak Bosak S/o Dilip Baiso @ Dilip
Baishya R/o Village- Baldoria, P.S.- Dalkhola, Distt.- Uttar Dinajpur, State-
West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-07-2025 Heard Mr.Mritunjay Kumar, learned counsel for the

petitioner and Mr.Anuj Kumar Shrivastava, learned A.P.P. for

the State.

2. The petitioner is apprehending his arrest in
connection with Baisi P.S. Case No. 295 of 2022, F.I.R. dated
27.07.2022 registered for the offence punishable under Section
8(c)/21(b) of N.D.P.S. Act.

3. Recovery is of 204 Grams of Smack(Heroine).

4. Learned counsel for the petitioners submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. It appears from the FIR as well
as the seizure list that altogether 204 Grams of Smack(Heroine)
was recovered from possession of Niraj Sah and he has



disclosed that the petitioner was escaped from the place of occurrence. Learned counsel for the petitioner submits that except the disclosure made by the apprehended co-accused person, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and apart from that, the recovered contraband is less than the commercial quantity so there is no embargo under Section 37 of the NDPS Act to grant privilege of anticipatory bail to the petitioner.

5. Learned APP for the State, on the basis of the material available on the record and the case diary, has vehemently opposed the prayer for bail of the petitioner and submits that name of the petitioner has been transpired during investigation on the basis of the disclosure made by the apprehended co-accused person and FSL report confirms that the recovered contraband is Charas (Heroine).

6. Considering the aforesaid fact, name of the petitioner has been transpired during investigation on the basis of the disclosure made by the apprehended co-accused person and FSL report confirms that the recovered contraband is Charas (Heroine), I am not inclined to grant privilege of anticipatory bail to the petitioner in connection with Baisi P.S. Case No. 295



of 2022 pending in the court of learned Special Judge, NDPS
Act, Purnea.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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