

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37341 of 2025

Arising Out of PS. Case No.-838 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

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Ankit Kumar S/o Late Amod Rai, R/o Village- Senduari, P.S.- Hajipur Sadar,
District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Hajipur Sadar P.S. Case No. 838 of 2024, dated 05.11.2024, registered for the offences punishable under Sections 8(C) and 21(C) of the NDPS Act and under Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, police received information about three persons standing at certain identified place in suspicious condition. When the police party reached there, two persons fled away on seeing the police vehicle and the third person was apprehended, who was carrying a bag. From search of this person and his bag, recovery of a country made loaded *katta* with one cartridge apart from one cartridge in his pocket and 300 grams of smack were made. This



apprehended person disclosed the name of the petitioner, who fled away from the spot.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case and he has not committed any offence. From the perusal of FIR, it is clear that no offence as alleged is made out against the petitioner and whatever recovery has been made, it has been made from the possession of the co-accused Amit Kumar. Nothing incriminating has been recovered from person or possession of this petitioner. Petitioner is having antecedent of three cases and he is on bail in two cases. Learned counsel lastly submits that petitioner is in custody since 30.04.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and his name sprung up in the present case in the disclosure statement of the co-accused and further considering his period of custody, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Principle District & Sessions Judge, Vaishali at Hajipur / concerned Court, in connection with **Hajipur Sadar P.S. Case No. 838 of 2024**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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