

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54583 of 2025

Arising Out of PS. Case No.-252 Year-2024 Thana- CHAKAI District- Jamui

Diwakar Ray @ Diwakar Kumar Ray S/o Satyadev Ray RO Village -
Narodih, PS- Chakai, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-08-2025 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 20(b)(ii)
C, 22, 27 and 29 of the NDPS Act, 1985.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that 2.545 kgs of *ganja* was recovered from dickey of a
motorcycle and Dhanraj was apprehended.

4. Learned counsel for the petitioner submits that
petitioner is not named in the FIR, which amply demonstrates
that Dhanraj after his arrest did not disclose the name of the
petitioner, but subsequently in police custody Dhanraj disclosed
that *ganja* was to be delivered to the petitioner. It is next



submitted that confessional statement in police custody does not have any evidentiary value. It is also submitted that no doubt it is the case under the NDPS Act, but then the apprehended accused before the police at the time of instituting the FIR did not disclose the name of the petitioner, but subsequently his name was disclosed which casts an aspersion on the conduct of the apprehended accused.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that it is a case under the NDPS Act and in the event if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

6. 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. 25,000/- (Rupees Twenty Five 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 Chakai



P.S. Case No. 252 of 2024 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. One of the bailors of the petitioner shall be his father, Satyadev Ray.

8. 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 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.

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

10. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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