

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65744 of 2024

Arising Out of PS. Case No.-139 Year-2024 Thana- JOKIHAT District- Araria

Md Asgar Ali @ Asgar S/o Md Akbar Ali R/o vill - Balwa, Ward No. 09, P.S.
- Mahalgaon, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-02-2025 1. Heard learned counsel for the petitioner and Mr.
Rabindra Kumar, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 21(a) and
21(b) of the NDPS Act.

3. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant with an allegation that informant received an
information that petitioner along on his vehicle had gone to the
house of the co-accused for delivering Codeine Syrup and the
Codeine Syrup was recovered from the house of the co-accused.

4. Learned counsel for the petitioner submits that
neither the syrup was recovered from the conscious possession
of the petitioner nor from his house or from his car and
petitioner is a person with clean antecedent. It is further



submitted that it is very easy to implicate someone based on secret information. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence that he was not involved in the occurrence in any manner.

5. Mr. Rabindra Kumar, learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below 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 court below where the case is pending/Successor Court in connection with Jokihat P.S. Case No. 139 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his father, namely, Md. Akbar Ali.

8. However, 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, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. It is made clear that if the charge-sheet is submitted against the petitioner connecting him with the offence in that event the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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