

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72426 of 2024

Arising Out of PS. Case No.-84 Year-2021 Thana- KRITYANAND NAGAR District- Purnia

Satyam Kumar Singh S/O Sunil Kumar Singh R/O Mohalla- Subhash Nagar,
P.S- K. Hat, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 71160 of 2024

Arising Out of PS. Case No.-84 Year-2021 Thana- KRITYANAND NAGAR District- Purnia

Amit Kumar @ Jaikar S/o Dilip Kumar Mandal Resident of Village- Pipra,
P.S.- Banmankhi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 79563 of 2024

Arising Out of PS. Case No.-84 Year-2021 Thana- KRITYANAND NAGAR District- Purnia

Anant Sah @ Anant Kumar @ Anant Kumar Sah S/O Grahan Saah R/O
Village- Shardanagar, P.S- Khajanchi Hat Sahayak, District- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 72426 of 2024)

For the Petitioner/s : Mr. Rudrank Shivam Singh, Adv.

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 71160 of 2024)

For the Petitioner/s : Mr. Rudrank Shivam Singh, Adv.

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 79563 of 2024)

For the Petitioner/s : Mr. N.K.Agrawal, Sr. Adv.

Mr. Gaurav Prakash, Adv.

Mrs. Diksha Kumari, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 05-02-2025 Heard Learned Counsel for the petitioners and



Learned A.P.P. for the State.

2. The petitioners seek regular bail in connection with K. Nagar P.S. Case No.84 of 2021 lodged under Sections 8, 21, 22(B)(C) N.D.P.S. Act.

3. Learned Counsel for the petitioners of first two cases *i.e.*, Cr. Misc. No.72426 of 2024 and Cr. Misc. No.71160 of 2024 submits that the bail application of the petitioners has earlier been rejected twice vide order dated 27.09.2022 passed in Cr. Misc. No.49865 of 2021 and vide order dated 20.03.2024 passed in Cr. Misc. No.79114 of 2023.

4. Learned Counsel for the petitioner further submits that the petitioners are innocent and other named co-accused persons have been granted bail on the basis of same allegation. Therefore, petitioners have moved before this Hon'ble Court for bail.

5. Counsel further submits that petitioners have been apprehended from the place of occurrence. He further submits that petitioners are in custody since 03.03.2021 having clean antecedent.

Criminal Miscellaneous No.79563 of 2024

6. Mr. N.K. Agrawal, Learned Senior Counsel for the petitioner for third case *i.e.*, Cr. Misc. No.79563 of 2024 submits



that the petitioner is named in the F.I.R., but he has not apprehended from the place of occurrence nor any material has been recovered from his possession.

7. Learned Senior Counsel further submits that the name of petitioner has come by virtue of confessional statement of co-accused who has been apprehended from the place of occurrence.

8. Learned Senior Counsel also submits that the Co-ordinate Bench of this Court has pleased to grant bail to other co-accused persons, who were not apprehended nor any recovery has been made from their possession vide Annexure-P/2 series of the bail petition.

9. Learned Senior Counsel further submits that petitioner is in custody since 28.08.2024 having clean antecedent.

10. Learned APP appearing for the State in all cases opposes the prayer for bail.

11. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioners, namely, Satyam Kumar Singh and Amit Kumar@ Jaikar of first two cases. Therefore, the bail applications of the petitioners are hereby rejected.



12. However, the bail application of the petitioner, namely, Anant Sah of third case is concerned, let the petitioner be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge-IV-cum-Special Judge, N.D.P.S. Act., Purnea in connection with Supplementary N.D.P.S. Case No.17 of 2021(CIS No.121 of 2024) arising out of K.Nagar P.S. Case No.84 of 2021, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

13. With the aforesaid observations and directions, this bail application is hereby disposed off.

(Dr. Anshuman, J.)

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