

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77565 of 2025

Arising Out of PS. Case No.-282 Year-2025 Thana- Marnga District- Purnia

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Anand Choudhary @ Anand Prakash Son of Shambhu Nath Choudhary,
Resident of Village - Shakti Nagar, P.S.- Maranga, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the State : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Maranga P.S. Case No. 282 of 2025, dated
17.08.2025, registered for the offences punishable under
Sections 8(c) and 21(b) of the Narcotic Drugs and Psychotropic
Substance Act, 1985.

3. As per allegation, 7.72 gm of smack/brown sugar
was recovered from the possession of co-accused/Banti Kumar
@ Chintu, who disclosed to the police that he had purchased the
contraband from the present petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the contraband recovered is just



above small quantity. He also submits that except the confessional statement of co-accused against the petitioner before the police, there is no other material which may connect the petitioner with the alleged offence. The confessional statement before the police is not admissible. It is not admissible even under Section 30 of the Indian Evidence Act/Section 24 of B.S.A., 2023, because that statement cannot be proved during trial.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has two criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the fact that there is no legally admissible material against the petitioner, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of learned concerned Court Below, in connection with Maranga P.S. Case No. 282 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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