

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1236 of 2025

Arising Out of PS. Case No.-593 Year-2024 Thana- JAHANABAD District- Jehanabad

Upendra Chaudhary @ Fatta @ Phata Son of Rama Chaudhary Resident of
Mohalla - Panchmahala, P.S. and District -Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 5573 of 2025

Arising Out of PS. Case No.-593 Year-2024 Thana- JAHANABAD District- Jehanabad

Satyendra Chaudhary @ Satyendra Kumar Chaudhary Son of Rama
Chaudhary Resident of Mohalla - Panchmahala, P.S. and District -Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 1236 of 2025)

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 5573 of 2025)

For the Petitioner/s : Mr. Paras Nath, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-02-2025

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for bail
apprehending their arrest in connection with Jehanabad P.S.
Case no.593 of 2024 registered for the offence punishable under
sections 8(c) and 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, 21.4 grams of smack



was recovered from one Sahil Ansari. It is stated that on enquiry he disclosed that he along with the two petitioners herein and others were involved in sale of smacks and used to distribute the proceeds between them.

4. Learned counsel for the petitioners in both the applications submits that from the contents of the FIR itself, it would transpire that neither the petitioners were arrested at the spot nor any incriminating article recovered from their possession. The only material against them is the statement of a co-accused made before police. The petitioners have no concern with the said co-accused nor with the seized article and the cause of their false implication is the petitioners having antecedent of similar nature.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioners name transpiring in the statement of a co-accused made before police and no incriminating article having been recovered from the petitioners possession, it is directed that both the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four



weeks, be released on anticipatory bail in connection with Jehanabad P.S. Case no.593 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Principal District and Sessions Judge, Jehanabad.

(Partha Sarthy, J)

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