

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23596 of 2015

Arising Out of PS.Case No. -443 Year- 2014 Thana -GOPALGANJ CITY District- GOPALGANJ

1. Arvind Kumar Singh son of Brij Kishore Singh, resident of Muhalla-
Rajwahi Colony, Ward No. 3 Police Station- & District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dipak Kumar

For the Opposite Party/s : Mr. Surendra Prasad Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 06-07-2015

The petitioner is apprehending his arrest in connection

with Gopalganj Town PS case No. 443/2014 for the offence under
section 414 of the Indian Penal Code and Sections 18/20/22 of the
N.D.P.S. Act.

Heard learned counsel for the petitioner and the State.

The prosecution story, in brief, is that when the
informant was checking two wheelers on 08.10.2014 he saw two
persons coming from Haziapur on a red coloured motor cycle
having two bags and on seeing the police party they tried to flee
away by turning the motor cycle but fell down and when police
party chased them, they began to run away but one of them was
caught hold by the police party. On interrogation he disclosed his
name Munna Ram and name of person who fled away as Arvind
Singh. On search, one mobile, one bag containing 6.250 Kg Ganja
like substance, one white polythene containing 1.5 Kg. Ganja, one
another white polythene containing 350 gm. Ganja and one nylon

bag containing 2.5 Kg. Ganja were recovered. It is submitted on behalf of the petitioner that nothing incriminating has been recovered from the possession of the petitioner nor the petitioner was apprehended on the spot. It is further submitted that the petitioner has got no criminal antecedent.

On behalf of the State, it is submitted that on chase by the police while the petitioner and other accused, Munna Ram tried to escape, Munna Ram was apprehended and he disclosed that the other accused who managed to flee away was the petitioner. From the possession of said Munna 10 Kg. Ganja is said to have been recovered.

Considering the aforesaid facts and circumstance, I am not inclined to allow anticipatory bail to the petitioner. The prayer is rejected.

If the petitioner, above named, surrenders before learned Sessions Judge-cum- Special Judge, Gopalganj within a period of four weeks from today in Gopalganj Town PS case No. 443/2014 and prays for regular bail, the court below shall pass order considering the merit of the case, without being prejudiced by this order.

(Sudhir Singh, J)

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