

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50778 of 2015

Arising Out of PS.Case No. -82 Year- 2014 Thana -GOVERNMENT OFFICIAL COMP. District-
PATNA

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Md. Yasin age about 30 years, son of Natthu Vakhsha Resident of 57, Kyona Shadeepur, Village/town Sanha, P.s -Bhamora, District Bareilly, in the state of Uttar Pradesh -243401

.... Petitioner/s

Versus

1. The State of Bihar
2. The Union ofDirectorate of Revenue Intelligence Regional Unit Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate
For the Union of India : Mr. Anshay Bahadur Mathur, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 10-02-2016 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Section 21 (c) and 29 (1) of the Narcotic Drugs and Psychotropic Substances Act.

Allegation is that two persons, namely, Naim Alvi and Shakil Ahmad were apprehended with 5019 gms. Opium while they were coming on a bus from Siliguri to Patna and from their confession petitioner's name has come in this case.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. The main allegation is against Naim Alvi and Shakil Ahmad and from their possession 5019 gms. Opium is said to have been recovered. The name of the petitioner has come in the confessional statement of the co-accused.

Learned counsel for the opposite party no. 2 has submitted that the confession of co-accused under N.D.P.S. Act is

admissible and the petitioner was the person to whom delivery of the seized contraband was to be made.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner, same is rejected.

Any how, the petitioner is directed to surrender in the court below, i.e., learned A.D.J.-IV, Patna, in connection with Special Case no. 82 of 2014 within a period of six weeks from the date of receipt of a copy of this order and pray for regular bail which shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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