

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39182 of 2016

Arising Out of PS.Case No. -70 Year- 2016 Thana -JOGBANI District- ARRARIA

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1. Ram Singh, son of Bharat Singh
2. Ajay Singh son of Bharat Singh
Both are resident of Village- Tikulia, Ward No.9, P.S.- Jogbani,
Dist- Araria. Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 17-11-2016 Heard Sri Radha Mohan Singh, learned counsel,

who was assisted by Sri Ramesh Kumar Singh, learned counsel for
the petitioners and Sri Jitendra Kumar Singh, learned Addl. Public
Prosecutor.

Two petitioners have approached this Court for
grant of anticipatory bail in Jogbani P.S. Case No.70 of 2016
registered for the offence under Sections 20/22 of the Narcotics
Drugs and Psychotropic Substance Act.

Learned counsel for the petitioners submits that
save and except disclosure made by co-accused, who was
apprehended, there is nothing against the petitioners. He further
submits that nothing has been recovered from the conscious
possession of the petitioners and, as such, it is a fit case for
extending the privilege of anticipatory bail.

Learned Addl. Public Prosecutor, opposing the prayer for anticipatory bail, submits that three persons were moving on motorcycle and while the Investigating Agency intercepted, only one person, who was pillion rider of motorcycle, was captured and two other persons were managed to flee away in the territory of Nepal. The apprehended person disclosed the name of the petitioners, who had crossed the boarder. From the possession of apprehended accused, huge quantity of Corex cough syrup, containing Psychotropic substance was recovered. He also disclosed that in the dickey of the motorcycle also, same substance was kept.

Besides hearing learned counsel for the parties, I have also perused the material on record. On perusal of paragraph-3 of the petition, it is evident that petitioner no.1 is having criminal antecedent and he was accused for the offence under Section 399/402 of the Indian Penal Code and Section 25(1-b) A/26/35 of the Arms Act.

Keeping in view seriousness of accusation, there is no point for extending the privilege of anticipatory bail. The petition stands dismissed.

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(Rakesh Kumar, J)