

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1560 of 2016

Arising Out of PS.Case No. -148 Year- 2015 Thana -AURAI District- MUZAFFARPUR

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1. Bhola Rai @ Bhola Ray Son of Vilash Rai Resident of Village-Simtoka,
P.s Aurai, District Muzaffarpur.

.... Petitioner/s

Versus

1. The Union of India Through Assistant Commissioner, Narcotics, Patna
2. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh, Adv

For the Opposite Party/s : Mr. Abhay Kr.Roy(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-01-2016 Heard learned counsel for the petitioner, learned

counsel for Narcotics Bureau, Mr. Anshuman Singh, C.G.C and

the learned counsel for State.

The petitioner is apprehending arrest in a case

registered for the offences punishable under Sections 414 of the

Indian Penal Code and Sections 20, 22 and 23 of the N.D.P.S.

Act.

The prosecution case is that the petitioner was driving

motorcycle but when he was intercepted he left the motorcycle

and fled away. From the motorcycle 1.5 Kg of Ganja was

recovered.

It is submitted by learned counsel for the petitioner

that the petitioner has got no criminal antecedent. There is nothing on record to suggest that the alleged motorcycle was being driven by the petitioner though the motorcycle is registered in the name of the petitioner.

Considering the nature of recovery, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner.

Let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with Aurai P.S. Case No. 148 of 2015 pending in the Court of learned Sessions Judge cum Special Judge, Muzaffarpur.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

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