

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 40445 of 2016

Arising Out of PS.Case No. -47 Year- 2016 Thana -PATNA GRP CASE District- PATNA

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Anuj Patel @ Anod Patel @ Anju Patel Son of late Dhuri Patel Resident of
Village- Manglapur, P.S. - Sangrampur, District East Champaran(Motihari).
..... Petitioner

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan

For the Opposite Party/s : Mr. Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 01-12-2016 Heard Mr. Shakil Ahmad Khan, learned counsel for
the petitioner and Sri Ram Chandra Singh, learned Addl. Public
Prosecutor.

The sole petitioner, who is in custody in NDPS Case
(Special Case) No. 37 of 2016 {arising out of Rail Patna Jn.
(Rajendra Nagar) P.S. Case No. 47 of 2016} registered for offence
under Sections 328, 379, 411/34 of the Indian Penal Code and
subsequently Section 307 of the Indian Penal Code as well as
Sections 8 and 22 of the Narcotic Drugs & Psychotropic
Substances Act, 1985 (for short “NDPS Act”) was added, has
prayed for grant of bail.

It was submitted by learned counsel for the petitioner
that nothing was recovered from the conscious possession of the
petitioner nor there is any material against the petitioner. It has
been argued that petitioner was named by his own uncle, with



whom, the petitioner was having disputed relation. He submits that only on the basis of confessional statement of the co-accused, petitioner has been made accused, whereas, learned Addl. Public Prosecutor, opposing the prayer for bail, submits that it was a case of administering narcotic and psychotropic substance to the passenger and from the F.I.R., it is evident that information was received that two persons were searching of a passenger, who was on the railway platform. After arrival, one accused person succeeded in fleeing away, however; one of the co-accused was arrested, who disclosed his name as well as the name of the accused, who fled away i.e. petitioner. He further submits that the petitioner is also accused in relation to the almost similar accusation i.e. for offence under Sections 8 and 22 of the NDPS Act.

Keeping in view the seriousness of the accusation as well as the fact that petitioner is accused for commission of offence under the NDPS Act in other case also, there is no reason to grant bail to the petitioner.

The petition stands dismissed.

(Rakesh Kumar, J.)

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