

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31539 of 2016

Arising Out of PS.Case No. -93 Year- 2015 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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1. Nandan Sah
2. Umesh Sah @ Umesh Kumar
Both sons of Kapildeo Sah, residents of village- Bara Pareuwa, P.S.-
Haraiya, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 11-11-2016 Heard Sri Umesh Chandra Verma, learned counsel for
the petitioners and learned Additional Public Prosecutor.

Two petitioners who are apprehending their arrest in
Ramgarhwa P.S. Case No. 93 of 2015 registered for the offence
under Section 20/ 21/ 22/ 23/ 27(A)/ 29 of the Narcotic Drugs
And Psychotropic Substances Act, 1985 has prayed for grant of
anticipatory bail primarily on the ground that petitioners have been
named in the subsequent confessional statement of the accused
who were arrested. He submits that confessional statement of an
accused has got no evidentiary value and as such petitioners are
entitled to be extended the privilege of anticipatory bail, whereas
learned Additional Public Prosecutor opposing the prayer submits

that during investigation material has come that at least the accused persons who were arrested were indulged in trafficking of narcotic and psychotropic substances and quantity which was commercial in nature was recovered from their possession and during investigation petitioners' name has come.

Keeping in view the nature of accusation as well as limitation as imposed under Section 37 of the Narcotic Drugs And Psychotropic Substances Act, the Court is not inclined to extend the privilege of anticipatory bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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