

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 40256 of 2016

Arising Out of PS.Case No. -280 Year- 2016 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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Sanjeev Kumar Patel @ Sanjeev Patel son of Lal Babu Patel Resident of
Village - Rajguru Chowk, Bettiah P.S. - Bettiah Town, Dist. - West
Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Suraj Narain Pd. Sinha, Sr.Adv.

Mr. Ajit Kumar

For the Opposite Party/s : Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 01-12-2016 Heard Sri Suraj Narain Prasad Sinha, learned senior
counsel assisted by Sri Ajit Kumar, learned counsel for the
petitioner and Smt. Meena Singh, learned Addl. Public Prosecutor.

The sole petitioner, who is in custody since
16-06-2016 in Bettiah (Muffasil) Banu Chhappar O.P. P.S. Case
No. 280 of 2016 registered for offence under Sections 20, 22, 24,
27 and 29(A) of the Narcotic Drugs & Psychotropic Substances
Act, 1985 (for short “NDPS Act”), Sections 47(A) & 53(C) of the
Bihar Excise (Amendment) Act, 2016 and Sections 25(1-b)a, 26 &
35 of the Arms Act, 1959, has prayed for grant of bail.

Sri Sinha, learned senior counsel, pressing the bail
petition, submits that save and except confessional statement of



co-accused, there is no other material to connect the petitioner. He further submits that nothing was recovered from the conscious possession of the petitioner. It has been argued that petitioner was having inimical relation with one of the accused, who was apprehended. He has falsely been implicated.

Learned Addl. Public Prosecutor, opposing the prayer for bail, submits that it is specific case that on secret information police conducted raid in the house of one Prakash Patel. After noticing the arrival of police party, three accused persons fled away, however; two persons were apprehended and from possession of one of the apprehended person, arms & ammunitions were recovered and from the house in question, about 2 Kg. of *Charas* was recovered. The apprehended accused persons disclosed the name of three persons, who had fled away including the petitioner. Learned Addl. Public Prosecutor, by way of referring to statement made in paragraph 26 of the case diary, submits that both the accused persons have also made confessional statement, which can be treated as statement under Section 67 of the NDPS Act, in which, they have stated regarding involvement of the petitioner. Besides this, it has been argued that petitioner is accused in number of cases.

Besides hearing learned counsel for the parties, I have



also perused the materials on record. Considering the nature of accusation as well as the fact mentioned in paragraph - 3 of the petition that petitioner is accused in at least 9 other cases, there is no reason to extend the privilege of bail.

The petition stands dismissed.

(Rakesh Kumar, J.)

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