

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17100 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -SIKTI District- ARRARIA

Rudra Nand Jha S/o Bholu Jha @ Chandra Kant Jha Resident of Village -
Satwar, P.S. Bardaha (Sikti), District - Araria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Advocate.

For the Opposite Party/s : Mrs. Gulnar Begum(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 01-08-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in
Spl.P.S.Case No.2/16 arising out Sikti (Bardaha) P.S.Case
No.5/16 for the offences under Sections 8 (C)/ 20 (B)/ 22/ 23 and
24 of the N.D.P.S.Act.

The allegation against the petitioner is that 13 Kgs.
of ganja was recovered from the house of the petitioner but the
petitioner escaped from his house. Seizure was made in presence
of the independent witnesses.

Counsel for the petitioner submits that the entire
case is a creation and that none of the family members had signed
on the seizure list though the same was prepared at the place of

occurrence. It is further submitted that the petitioner is 70 years old man and it is a case of false implication.

However, considering the fact that one case being Sikti P.S.Case No.62/10 is in the credit of the petitioner which is of similar nature, in which he was extended the privilege of regular bail only, I am not inclined to extend the privilege of anticipatory bail to the petitioner. It is, accordingly, rejected.

However, if the petitioner surrenders before the court below within a period of four weeks from today and pray for regular bail, the same shall be considered on its own merit without being prejudiced by this order

(Anjana Mishra, J)

AnilKrSinha/-

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