

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1746 of 2017

Arising Out of PS.Case No. -78 Year- 2013 Thana -SULTANGANJ District- BHAGALPUR

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Ramesh Sah @ Ramesh Kumar @ Ramesh, S/o Arjun Sah, resident of
mohalla - Kila Ghat Road, Sarai, P.S. - Tatarpur, District - Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Advocate.
Mr. Ranjeet Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 3 09-02-2017 Heard learned counsel for the petitioner and the State.
- The petitioner seeks anticipatory bail in a case
instituted for the offence under Sections 21 and 22 of the NDPS
Act.
- It is alleged in the written report that on the date of
occurrence, on confidential information, the informant chased
three Indigo Cars and on search, recovered 100 plastic packets of
Ganja weighing 1 kg. each from the two cars and 99 packets of
plastic bag of Ganja weighing 1 kg. each, total 299 kg. Police
arrested total seven persons sitting on those three cars. They
disclosed that they supplied the Ganja to the petitioner and other
three accused persons namely, Nandu, Subhash and Gopal who
indulged in smuggling of Ganja on large scale.



The learned Sessions Judge in the impugned order has mentioned that the case is of the year 2013 and since then the petitioner is avoiding his appearance in the case.

Carbon copy of the case diary has been received. Learned A.P.P. after perusal of the case diary has stated that witnesses in paragraphs- 10, 11, 33, 34, 35, 36 and 37 have taken the name of the petitioner.

It has been submitted on behalf of the petitioner that other seven co-accused who have been named in the First Information Report faced trial by N.D.P.S. G.R. No. 1395 of 2013 (SOS) and they were acquitted of the charges by the learned Sessions Judge, Begusarai, vide order dated 11.4.2016.

The learned Sessions Judge has mentioned in the impugned order that the petitioner is avoiding his appearance since 2013 and from the carbon copy of the case diary it appears that the investigation of the case is still pending.

In such circumstances, this court is not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner stands rejected.

The petitioner is directed to appear before the court below and pray for regular bail which shall be disposed off by the



court below on the same day on its own merit without being prejudiced by the order of this Court.

(Sanjay Priya, J)

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