

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19138 of 2017

Arising Out of PS.Case No. -9 Year- 2016 Thana -GOVERNMENT OFFICIAL COMP. District-
AURANGABAD

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1. Ranjeet Kumar Pandey, Son of Hari Narayan Pandey, permanent Address Mansa Pandey Bag-1, Ara, P.S: Town Ara, District- Bhojpur (Ara), and at present resident of 157, Krishna Nagar, Surat, Gujrat.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Pathak

For the Opposite Party/s : Mr. Madhura Nand Jha, APP-102

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 25-05-2017 Heard learned counsel for the petitioner, and the learned counsel representing the State.

The petitioner apprehends his arrest in connection with G.R. No. 09 of 2016 registered for the offences punishable under Sections 8 (c), 20(b) of NDPS Act and 47 (A) of Bihar Excise (Amendment) Act, 2016.

Allegedly, in a joint operation under the supervision of the Excise Superintendent, Excise officials, Aurangabad, Rohtas and Barun Honda GXI Model Car No. DL-3C-4K-8142 was caught and the businessman and his associates fled away leaving the vehicle and from the car total 189.00 kg. Ganja, foreign liquor 1.875 litres and Adhar Card were recovered and



seized Adhar Card was in the name of the petitioner.

Submission is of false implication and that the petitioner is not the owner of the seized car, he was not present in the car or near the place of occurrence. Adhar Card of the petitioner was kept by the culprits only with a view to implicate the petitioner falsely. The petitioner has got no criminal history. Co-accused Rajesh Kumar Gupta has been allowed pre-arrest bail by this Court and, as such, the petitioner also deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that huge quantity of Ganja, Adhar Card and other articles have been recovered from the Car which was left by the accused persons and, as such, it is clear that the petitioner fled away from the car.

In the facts and circumstances stated above, considering the recovery of Adhar Card of the petitioner along with other articles, I am not inclined to grant privilege of pre-arrest to him and accordingly, his such prayer stands rejected in connection with G.R. Case No. 09 of 2016 pending in the Court of learned Sessions Judge, Aurangabad.

(Jitendra Mohan Sharma, J)

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