

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49100 of 2016

Arising Out of PS.Case No. -20 Year- 2008 Thana -GOVERNMENT OFFICIAL COMP. District-
ARRARIA

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Jay Prakash Mandal Son of Late Kadam Lal Mandal Resident of Village-
Narayanpur, Police Station- Raniganj, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishor Singh

For the Opposite Party/s : Sri Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 09-01-2017 Heard Sri Bikram Deo Singh , learned counsel, assisted

by Sri Nawal Kishor Singh, learned counsel for the petitioner and

learned Additional Public Prosecutor .

The sole petitioner, who is accused in a case in which
prosecution report was submitted in the year 2008 in Special Case
No. 20 of 2008 registered for offence under Section 18 and 8(b) of
the Narcotic Drugs And Psychotropic Substances Act has
approached this court with prayer to extend the privilege of bail
in the event of his arrest or surrender.

It was submitted by learned counsel for the petitioner
that petitioner has falsely been implicated in this case on an
allegation of planting 6500 plants of opium (poppy). He submits
that petitioner was not at all aware about accusation against him.



Only after the order of cognizance he came to know about the present case and thereafter , he approached the learned Special Judge for grant of anticipatory bail , which was rejected. He submits that since it was a false case petitioner may be directed to be released on anticipatory bail whereas on examining the record it is evident that prosecution report was submitted against the petitioner in the year 2008 itself with specific accusation of planting about 6500 plants of opium. It is also an admitted fact that subsequently order of cognizance has already been passed. Accordingly there is no reason to extend the privilege of anticipatory bail particularly on an accusation which is serious in nature.

The petition stands dismissed.

(Rakesh Kumar, J)

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