

**IN THE HIGH COURT OF JUDICATURE AT
PATNA**

Criminal Miscellaneous No.40552 of 2018

Arising Out of PS.Case No. -121 Year- 2005 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Chhotelal Sah, Son of Late Saryu Sah,
2. Ashok Sah, son of Chhotelal Sah, Both Residents of Village- Semara,
P.S.- Semara, District- West Champaran.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-07-2018 Heard the parties.

The petitioners seek anticipatory bail in connection with Trial No. 05 (A) of 2017, arising out of Ramnagar P.S. Case No. 121 of 2005, registered for offences punishable under Sections 20 and 22 of the Narcotic Drugs and Psychotropic Substances Act (N.D.P.S.Act).

Allegation as per FIR against the petitioners is of recovery of 6 kg of Charas and the petitioners are named in the F.I.R. and it is found that the case is of the year, 2005.

Submissions of the learned counsel for the petitioners are that only allegation against the petitioners is false and



concocted and the petitioners have no criminal antecedents.

Learned A.P.P. opposes the prayer for bail on the ground that the petitioners are named in the F.I.R. and the case is of the year, 2005.

In view of allegation against the petitioners, above named, I am not inclined to grant bail to the petitioners. Accordingly, prayer for anticipatory bail is rejected with a direction to the petitioners that if the petitioners surrender before the Court below and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

Sudha/Priyanka/-

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