

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21610 of 2018

Arising Out of PS.Case No. -181 Year- 2017 Thana -BUXAR MUFFSIL District- BUXAR

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1. Deepak Kumar Gupta Son of Mahendra Sah Resident of Village-
Ojhawalia, P.S.- Brahmpur, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.K. Lal

Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-05-2018 The petitioner is apprehending his arrest in connection with N.D.P.S. Case No. 07/17 (Arising out of Buxar Muffasil P.S. Case No. 181/17), registered for offences punishable under Sections 20(b)(ii)(c)/22 of the Narcotic Drugs and Psychotropic Substance Act, 1985.

Allegation is of recovery of 97 kilogram and 900 gram of ganja from a car, in which petitioner and another accused was sitting and seeing the police, they fled away taking advantage of night.

It has been submitted on behalf of the petitioner that he has been made accused in this case only because he is the co-owner of the said car and has nothing to do with the alleged recovery and the affairs of car is being managed by the other



owner of the car.

Learned counsel for the State opposed the prayer for bail on the ground that in this case huge quantity of ganja has been recovered.

Having heard both sides, considering the facts and circumstances of the case as well as the fact that huge quantity of ganja has been recovered, I am not inclined to grant the privilege of anticipatory bail. This application is, accordingly, dismissed.

However, the petitioner, if so desire may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below shall dispose of the same on the merit of the case, without being prejudiced by the order of this court.

(Vinod Kumar Sinha, J)

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