

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24408 of 2019

Arising Out of PS. Case No.-941 Year-2018 Thana- SITAMARHI District- Sitamarhi

SURESH KUMAR Son of Vasdev Singh Resident of Village- Bariyarpur, P.S.
and District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 25-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 275, 276, 419, 420, 120B IPC, Section 2 and 28 of the Drugs and Cosmetics Act, 1940 read with Section 21(c) of the N.D.P.S. Act, registered in connection with Sitamarhi P.S. Case No. 941 of 2018.

3. It is submitted that the petitioner has been falsely implicated and all the penal Sections are bailable except Section 420 of the Indian Penal Code, which is not made out against the petitioner. It is further stated that the drugs found in the shop of the petitioner are duly purchased under valid tax invoice, but the same however, could not be traceable at the present time. The petitioner claims clean antecedents.

4. Learned APP submits that a perusal of the FIR itself discloses that the drugs recovered comes under the N.D.P.S. Act, being psychotropic drug, as well as under the Drugs and Cosmetics Act, 1940. No material has been produced by the petitioner in support of his contention that the same were



purchased through valid tax invoice.

5. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

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