

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28775 of 2019

Arising Out of PS. Case No.-317 Year-2018 Thana- DALSINGHSARAI District- Samastipur

ANIL KUMAR MAHTO Son of Valeshwar Mahto A resident of Village-
Pandh Purwaritola, Ward No. 13, P.S.- Dalsinghsarai, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Narcotic Control Bureau, Patna. Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Harish Kumar, Adv.
For the Opposite Party/s	:	Mr.Md. Fahimuddin, APP
For Unin of India	:	Mr. Manoj Kumar Singh, CGC

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 16-07-2019 This application, for grant of anticipatory bail, arises out of Dalsingh Sarai Case No. 317/2018, disclosing offences under Sections 272 and 273 of the Indian Penal Code, Section 20(C), 25 and 8 of the N.D.P.S. Act and Section 30(a) and 41(i) of the Bihar Prohibition of Excise Act, 2016.

Allegation is of recovery of 500 gram of ganja from the dickey of motorcycle of the petitioner and there also recovery from other accused persons.

Submission of learned counsel for the petitioner is that he has no criminal antecedent and has falsely been made accused in this case on the disclosure of co-accused and further the motorcycle does not belong to the petitioner.

Learned counsel appearing on behalf of the Union of



Indian opposed the prayer for bail on the ground that the accused, who disclosed the name of petitioner is his own brother and as such prima facie evidence available against the petitioner.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

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