

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39152 of 2019

Arising Out of PS. Case No.-60 Year-2017 Thana- PATORI District- Samastipur

MITHILESH RAI, Son of Munarik Rai, Resident of Village - North Dhamaul,
P.S. - Patori, District - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-06-2019 Petitioner seeks bail in anticipation of his arrest in connection with Patory P.S. Case No. 60 of 2017 registered for the offences punishable under Sections 8, 15, 18, 46, 47 and 48 of N.D.P.S. Act.

FIR disclosed that police party on information of cultivating opium raided the place and found several persons engaged in cultivating opium on the land measuring 18000 sq.ft. and sample was prepared and rest of the plants were damaged and signatures of petitioner and other accused persons were obtained.

Submission of learned counsel for the petitioner is that admittedly the land does not belong to the petitioner, rather other accused person, on whose disclosure the petitioner has been made accused in this case and as such no case under the



N.D.P.S. Act is made out against the petitioner.

Heard learned APP also, who has opposed the prayer for anticipatory bail of the petitioner.

In view of above facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner. He may surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order and, if possible, to be disposed of on the same day.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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