

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47061 of 2018

Arising Out of PS. Case No.-39 Year-2016 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Pannalal Ram S/o Late Lalji Ram, R/o Vill.- Sobaiya, P.S.- Kotwa, District-
East Champaran.

... .. Petitioner/s

Versus

1. The Union of India through the Inspector, Customs (P) Division, Motihari
2. The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Umesh Chandra Verma
For the UOI	:	Mrs.Kanak Verma, CGC
For the State	:	Mr. J.K.Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

10 08-03-2019

Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest for the
offences alleged under Sections 20(b)(ii)(c), 23(c) and 27A of
the NDPS Act registered in connection with NDPS Case No. 36 of
2016 arising out of Unit Case No. 39/Seiz/NDPS/CUS/MTH/16-
17.

3. It is submitted that the petitioner has been falsely
implicated in connection with recovery of 40 kg. Ganja from a
truck bearing Registration No. HR55-3463. It is submitted that
there is inordinate delay in filing the official complaint on
26.09.2017 for the alleged seizure on 01.07.2016. Moreover, the
truck in question belonged to one Jagveer Singh which has
fraudulently shown to have been transferred to the petitioner in
the month of March, 2016 using fake and fabricated papers.

4. Learned counsel for the opposite party-Union of
India opposes the anticipatory bail petition and submits on the



basis of counter affidavit that the petitioner has purchased the truck in question in the month of March, 2016 from co-accused Jagveer Singh and for which 22 post dated cheques of Rs. 26,400/- each together with Rs. 1,00,000/- in cash and Rs. 20,000/- by transfer in the bank account had been given by the petitioner to Jagveer Singh. Moreover, the petitioner was summoned under Section 67 of the NDPS Act in course of further enquiry and investigation of the case, but he failed to appear on 15.09.2016, 23.09.2016, 17.10.2016 and 14.11.2016 before the Department and did not co-operate in the investigation.

5. Having regard to the nature of accusations and gravity of offence alleged as well as recovery of commercial quantity of ganja from the truck said to have been purchased by the petitioner, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Bail petition stands dismissed.

(Vikash Jain, J)

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