

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43102 of 2019

Arising Out of PS. Case No.-10 Year-2019 Thana- HARSIDHI District- East Champaran

Imran Khan @ Imran @ Ibran, Aged about 25 years, Male, Son of Meraj Khan, Resident of Village - Jhadwa, P.S.- Harsidhi, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-07-2019 Heard both sides.

Petitioner apprehends his arrest in N.D.P.S. Case No.4 of 2019, arising out of Harsidhi P.S. Case No.10 of 2019, registered under Sections 20 and 22 of the N.D.P.S. Act.

The police intercepted a motorcycle on which two persons were coming but seeing the police both started fleeing away. On chase, one Sanauwar Khan was arrested and he disclosed the name of the petitioner, Imran Khan as the person who succeeded in fleeing away. On search, 500 gms. of heroin (Charas) was recovered from possession of Sanauwar Khan. Sanauwar Khan disclosed that it was petitioner who is the owner of the motorcycle and he was carrying Charas at the instance of the petitioner.

Learned counsel for the petitioner submits that save



and except the disclosure made by Sanauwar Khan, there is no material against the petitioner to show that the petitioner was also carrying any Charas with him or he had knowledge about the fact that Sanauwar Khan, who was driving the motorcycle, was carrying Charas with him but it appears that Sanauwar Khan on the spot disclosed that he was carrying Charas at the instance of the petitioner and petitioner managed to flee away after seeing the police.

Considering the nature of allegations made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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