

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2028 of 2019

Arising Out of PS. Case No.-247 Year-2017 Thana- MAHISHI District- Saharsa

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1. Ram Pravesh Sah and Anr Sone Lal Sah Resident of Village-Rajanpur, P.S.- Mahishi, District-Saharsa
 2. Ramdhan Sah Sone Lal Sah Resident of village- Rajanpur, P.S.- Mahishi, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-02-2019

Heard the parties.

The petitioners seek anticipatory bail in connection with Maheshi P.S. Case No. 247 of 2017, Special Case No. 07/2017, registered for offences punishable under Sections 8, 20 (b) (ii) (c) and 22 of N.D.P.S.Act.

Allegation as per F.I.R. is of recovery of 4 quintals 690 grams of Ganja from the house of the petitioners and also cash of Rs. 136, 495/-.

Submission of the learned counsel for the petitioner is that the petitioner have falsely been implicated in this case and there is no specific allegation against these petitioners and the petitioners were working in Noida and on the alleged date and time of occurrence, they were not present at the place of



occurrence and the petitioners have no criminal antecedents.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, the case of the petitioners is concerned, I am not inclined to grant bail to the petitioners, Accordingly, prayer of anticipatory bail is rejected with a direction to the petitioners that if the petitioners surrender before the court below within a period of four weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court.

This application is accordingly dismissed.

(Vinod Kumar Sinha, J)

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