IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70100 of 2018

Arising Out of PS. Case No.-232 Year-2018 Thana- KRITYANAND NAGAR District- Purnia

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Sarvjeet Kumar, Son of Das Narayan Sah, Resident of Village- Milki, P.S.- Mirganj, District- Purnea.

... ... Petitioner

Versus

The State of Bihar.

... ... Opposite Party

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Appearance :
For the Petitioner : Mr. Sunil Kumar Singh, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 07-01-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 20/22 of the Narcotic Drugs and Psychotropic Substances Act, 1985 registered in connection with K. Nagar (Maranga) P.S. Case No. 232 of 2018.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 156.615 Kg. of *ganja* from a Alto car bearing registration no. WB-06A-9015 and the stamp paper of Rs. 500/- showing sale of the Alto vehicle to the petitioner by one Anant Kumar Sah. It is submitted that the said Anant Kumar Sah has neither been examined nor has the car been transferred to the petitioner as the sale in question was never executed. The petitioner claims clean antecedents.

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4. Learned APP appears and opposes the anticipatory bail petition and submits that stamp paper found in the car showed that the vehicle in question has been sold to the petitioner.

5. Having regard to the nature of accusations, gravity of the offence as well as the provision of Section 37 of the N.D.P.S. Act, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed. The petitioner shall be at liberty to move for regular bail before the Court below in which event the same shall be considered and decided on its own merit.

(Vikash Jain, J)

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