

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17310 of 2020**

Arising Out of PS. Case No.-38 Year-2020 Thana- KOTWALI District- Munger

RAMTA CHAUDHARY Son of Sri Rajeshwar Chaudhary Resident of
Village - Samahuta, P.S.- Mohania, District - Kaimur at Bhabua

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr.Ramchandra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

5 03-09-2020 Heard learned counsel for the petitioner and Mr.
Ramchandra Singh, learned A.P.P. for the State.

Petitioner, in the present case, is seeking pre-arrest bail in connection with Kotwali P.S. Case No. 38 of 2020. Gr. No. 209/2020 registered for the offence under Section 20(B)(ii) A/27 N.D.P.S. Act, pending in the court of learned Additional Sessions Judge – I, Munger.

The allegation against the petitioner is that while he was on duty inside the jail premises, he was found with a mobile phone and a charging cable, thereafter on search conducted in his residential quarter 10 gm. of Ganja has been recovered.

In course of investigation it has come that he being an employee of the jail was allegedly involved in providing mobile phone to the petitioner. Learned counsel for the petitioner has though submitted that it is a case of false implication and the seizure list of



both the items are not bearing his signature and therefore there is no compliance of Section 100 Cr.P.C., however learned A.P.P. for the State has submitted that in this case having noticed that the petitioner was searched and then from his possession mobile phone with cable charger was seized but then he was allowed to flee away, the Superintendent of Police has directed action against the police official and this fact has come in the case diary. Investigation on other points are going on.

Having regard to the facts and circumstances of the case considering that the petitioner is an employee posted inside the jail premises, the allegations are such that I am not inclined to grant privilege of anticipatory bail to the petitioner.

This application is, thus, dismissed.

In case, the petitioner surrenders and prays for regular bail in the court below within a period of four weeks from today, his prayer for regular bail shall be considered by the court below on its own merit without being prejudiced by the order of this Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

