

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24306 of 2020**

Arising Out of PS. Case No.-277 Year-2020 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

MD. PARVEJ @ PARWEJ Son of Late Md. Salim @ Salim Warsi Resident of
Mohalla - Faridikatra Near Naushad Computer, P.S.- Town, District -
Muzaffarpur.

... .. Petitioner/s

Versus

THE TATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Manoj, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 29-09-2020

Heard Mr. Manoj Kumar Manoj, learned counsel

for the petitioner and Mr. Jitendra Kumar Singh, Additional
Public Prosecutor for the state through video conferencing.

2. Petitioner apprehends his arrest in connection with
Muzaffarpur Town PS Case No. 277/2020 registered for the
offence punishable under Sections 20 and 22 of the NDPS Act.

3. The allegation against the petitioner as per First
Information Report is that the police apprehended one accused
person, namely, Md. Afroj @ Gabbar and recovered 415 Purias
weighing about 135 Grams of smack from his possession and
upon interrogation, he disclosed that he purchased the smack
from the petitioner and other accused person.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case on the basis of



statement made by the said arrested accused person, Md. Afroj @ Gabbar. Learned counsel further submits that no narcotic drug/psychotropic substance has been recovered from the conscious possessions of the petitioner and the petitioner has got no criminal antecedent.

5. Learned counsel for the State vehemently opposes the prayer for anticipatory bail and submits that the arrested accused person has disclosed that the smack was purchased from the petitioner and others and petitioner is named in the FIR and is engaged in illegal trafficking of drugs, for which, custodial investigation may be necessary and accordingly, petitioner does not deserve privilege of anticipatory bail.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that the petitioner is named in the FIR and the allegation that the smack which was recovered from the arrested accused person was purchased from the petitioner, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

(Anil Kumar Sinha, J)

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