

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24321 of 2020

Arising Out of PS. Case No.-1408 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

=====

ARUN SAHANI Son of Brahamdev Sahni Resident of Village - Vijay
Chhapra, Dadar Kolhua, P.S.- Ahiyapur, District - Muzaffarpur ... Petitioner/s
Versus

The State of Bihar

.. ... Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 29-09-2020 Heard Mr. Manoj Kumar, learned counsel for the

petitioner and Mr. Madhura Nand Jha, Additional Public

Prosecutor for the state through video conferencing.

2. Petitioner apprehends his arrest in connection with

Ahiyapur Town PS Case No. 1408/2020 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 ten accused
persons and recovered 100 Grams of *Charas* from each of the
accused persons and the arrested accused persons disclosed the
name of their associates and further disclosed that they used to
bring *Charas* from the petitioner and others.

4. Learned counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case merely on the
basis of statement made by the arrested accused persons.
Learned counsel further submits that the petitioner has got no
criminal antecedent and no *Charas* has been recovered from his
possession.



5. Learned counsel for the State vehemently opposes the prayer for anticipatory bail and submits that from the statement of the arrested accused persons from whose possession a huge quantity of *Charas* has been recovered which goes to show that petitioner was indulged in illegal trade/sale and purchase of *Charas*, for which, a detailed investigation and custodial interrogation of the petitioner may be necessary. As such, 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 from the statement of the arrested accused persons, it appears that they disclosed the name of petitioner from where they had purchased the *Charas*, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

(Anil Kumar Sinha, J)

perwez

U		T	
---	--	---	--

