

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13524 of 2022

Arising Out of PS. Case No.-41 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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ANIL MAHTO Son of Nand Kishore Resident of Village- Sitarampur, P.S.-
Matihani, District- Begusarai.

... .. Petitioner/s

Versus

Union of India through the Narcotics Control Bureau, Patna Zonal Unit. CGO
Complex, D and E Block, Karpuri Sadan, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Adv

For the Opposite Party/s : Mr. K.N.Singh(A.S.G.), APP

For the Central Government : Mr. Ram Anurag Singh, Adv

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2022 Heard learned counsel for the petitioner, learned counsel for
the Central Government and learned APP for the State.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects within
stipulated period, office will place the matter before the Bench.

The petitioner apprehend his arrest in a case registered for the
offence punishable under sections 8, 20 of the NDPS Act.

Allegedly, 85.800kg of ganja has been recovered from the
vehicle of the petitioner.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He has
been falsely implicated in this case due to dirty village politics. No



such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. He is the owner of the said vehicle Tata Sumo and he has no idea of presence of drugs in it as he had given his car on hire to one of the accused namely Mukesh Mahto. The petitioner is not named in the F.I.R. and his name transpired in the case on the basis of the confessional statement of the co-accused. The petitioner has not been apprehended on the spot and has no concern with the co-accused persons. There is no recovery from the conscious possession of the petitioner. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State and learned counsel for the Central Government opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the petitioner is the owner of the said vehicle, I am not inclined to grant bail to the petitioner. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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