

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44400 of 2022

Arising Out of PS. Case No.-75 Year-2022 Thana- KURSAKANTA District- Araria

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MUNNA YADAV @ MANISH KUMAR YADAV Son of Agarchand Yadav
Resident of Village - Rampur, Ward No.08, P.s.- Forbesganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Rajeev Nayan (App 231)

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-10-2022 Heard the parties through virtual court proceedings.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

Petitioner apprehends his arrest in connection with
Kursakanta (Kuwari) P.S. Case No.75 of 2022, registered for the
offence punishable u/s 30(a) of the Bihar Prohibition and Excise
Act, 2016 and section 21(a)/21(b)/21(c) of Narcotics Drugs and
Phycotropic substance.

Altogether 3.8 litres of Dialex cough syrup is said to have
been recovered from an Auto and driver was apprehended on
spot, who disclosed that petitioner handed over the syrup to him
for delivery at Sikty.

Learned counsel for the petitioner submits that petitioner
is quite innocent and has not committed any offence as alleged



in the FIR. Petitioner has been falsely implicated in this case due to dirty village politics. His name transpired in this case on the basis of statement of apprehended accused. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized syrup. The said auto does not belongs to the petitioner. He is neither owner or seller of the seized cough syrup. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Considering the aforesaid facts and circumstances, since huge quantity of cough syrup is recovered and name of petitioner has been taken by the apprehended co-accused, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on behalf of petitioner named above is rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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