

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10153 of 2023

Arising Out of PS. Case No.-532 Year-2022 Thana- BIHPUR District- Bhagalpur

SANJAY ROY @ SANJAY KUMAR ROY @ SANJAY KUMAR SON OF
RAMANAND ROY R/O VILLAGE- MARWA, P.S.- JHANDAPUR OP,
DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-05-2023 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Bihpur Police Station Case No. 532 of 2022, dated
30.09.2022, disclosing offences under Sections 8/17-B/22-B of
the Narcotic Drugs and Psychotropic Substances Act, 1985.

The prosecution case, on the basis of the First
Information Report, is that the police recovered 5 gms. of smack
each from the possession of co-accused Rana Mandal and
Priyanka Kumari and upon enquiry, the arrested co-accused,
Priyanka Kumari, disclosed that the smack was supplied to her
by the petitioner and her husband, Shravan Kumar, and she used
to consume and sell the same.



Learned Counsel for the petitioner submits that the petitioner has got no criminal antecedents of similar nature of offences and two cases, which were lodged against the petitioner, relates to the Excise Act and the Indian Penal Code. Learned counsel next submits that he has been made accused on the basis of statement made by the arrested co-accused from whose possession, 5 gms. of smack has been recovered and the quantity is less than commercial quantity.

Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is said to be the supplier of the narcotics and psychotropic substance and said to be a drug trafficker, accordingly, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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