

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40306 of 2022

Arising Out of PS. Case No.-84 Year-2021 Thana- KRITYANAND NAGAR District- Purnia

GAURAV SINGH @ GAURAV KUMAR SINGH S/o Nand Kishore Singh
R/o village- Ram Nagar, P.S.- K. Hat, Distt.- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. N.K. Agrawal, Sr. Adv. Mr. Dr. Bidhu Ranjan, Adv. Mr. Kumar Rajdeep, Adv.
For the Opposite Party/s :	Mr. Shantanu Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-02-2023 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defect(s), as pointed out by the office, within four weeks.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 8/21/22(B)(C) of the N.D.P.S Act.

Altogether, 1.15 kg of brown sugar has been recovered from the place of the occurrence and three persons were apprehended on the spot.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. Petitioner has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in



nature. The recovery has been made from four accused persons and nothing has been recovered from the possession of other accused persons. The petitioner is not the owner of the said vehicle. The owner of the truck is one Amrit Kumar alias Sajjan. Petitioner was not apprehended on the spot. His name has been transpired in this case on the basis of the confessional statement of the apprehended co-accused. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail by submitting that petitioner is also involved in this case.

Having regard to the facts and circumstances of the case and considering the nature of the offence under N.D.P.S. Act, as his name was disclosed by the apprehended accused persons, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order in accordance with law without being prejudiced by this order on the very date of surrender.

(Anjani Kumar Sharan, J)

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