

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41538 of 2023

Arising Out of PS. Case No.-43 Year-2023 Thana- MOUZA HIDPUR District- Bhagalpur

Pinta Sah S/O Karu Sah R/O Village- Aliganj Gangti, P.S- Babarganj, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal
For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 21(b), 22(b), 25 of the N.D.P.S. Act.

3. As per FIR, 4.01 gram of brown sugar was seized from the possession of co-accused Govind Sah and 6.35 gram of brown sugar was seized from the possession of co-accused Deepak Kr. Sah. It is further alleged that the two above named co-accused persons from whom brown sugar was recovered, disclosed the name of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the informant is not an authorized officer under NDPS Act for search and seizure and he has not followed



any mandatory provision of Section 41 or 42 of the NDPS Act.
He further submits that petitioner has criminal antecedent as
stated in para-3 of this application.

5. Learned APP for the State opposes the prayer
for bail.

6. Considering the nature of allegation, I am not
inclined to enlarge the petitioner on bail. Accordingly, his
prayer for anticipatory bail is rejected in connection with
Mojahidpur (Babarganj) P.S. Case No. 43 of 2023

(Anjani Kumar Sharan, J)

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