

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43407 of 2022

Arising Out of PS. Case No.-46 Year-2022 Thana- CHARPOKHARI District- Bhojpur

Taslim @ Arif @ Guddu Mukhia @ Taslim Arif Son Of Badruddin @
Badadin Alee R/O Village- Garhani, P.S.- Charpokhari, District- Bhojpur.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 12-01-2023 Heard Mr. Ravindra Kumar, learned counsel for the
petitioner and the learned APP for the State.

The petitioner apprehends his arrest in connection
with Charpokhari P.S. Case No.46 of 2022 instituted under
Sections 20(b)(ii)c/21/22 of the Narcotic Drugs and
Psychotropic Substances Act.

As per the prosecution story, upon information that on
a truck bearing No.WB-33D-6544, the petitioner is bringing
'Ganja' following which it went out and found the truck parked
at a place. When the accused persons saw the police party, they
tried to escape. The police chased but failed to caught hold of
them. Subsequently, the truck was searched, 135 packets of
'Ganja' totalling 135 Kg. was recovered/seized. Accordingly,
the FIR was lodged.

Learned counsel for the petitioner submits that only



after he was elected as 'Mukhiya' in 2016 the criminal cases filed up against him. So far as the present allegation is concerned, the police alleges that three persons escaped but how the petitioner came into picture that part is not clear. So far as the criminal antecedent is concerned, two cases one of which is of same nature has been incorporated in para-3.

The learned counsel for the petitioner files rejoinder to the counter affidavit in which he has tried to explain the reason behind omission of the cases in para-3 of the application.

In this case, a coordinate Bench of this Court on different dates had directed the State to file counter affidavit which has since come on behalf of the Superintendent of Police, Bhojpur, in which it has been stated in paragraph-4 that contrary to the statement made in para-3, the petitioner is having criminal antecedent which has been narrated therein and this includes two cases relating to N.D.P.S.

Taking into account the aforesaid reply on behalf of the State and the conduct of the petitioner, this Court is not inclined to grant him relief and the prayer stands rejected.

If, however, the petitioner surrenders before the court concerned within four weeks from today, the court shall take into account the documents that the petitioner is able to show



for the grant of bail and the same shall be disposed of
expeditiously.

(Rajiv Roy, J)

Prakash Narayan /-

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