

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43158 of 2023

Arising Out of PS. Case No.-375 Year-2020 Thana- FATUA District- Patna

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PRAKASH KUMAR Son of Binod Kumar Resident of Village - Govindpur,
P.S.- Fatuha, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv
		Mr. Ranjeet Kumar, Adv
		Ms. Diksha Kumari, Adv
For the Opposite Party/s :		Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2023 Heard the parties.

2. The petitioner apprehends his arrest in connection with of Fatuha P.S. Case No.375 of 2020, registered for the offence punishable under Sections 20(b) (ii) (c)/22(c) of the N.D.P.S. Act.

3. Allegedly, 419.700 kg of ganja is said to have been recovered from the place of occurrence. The allegation against the petitioner is that he is indulged in the trade of *ganja*.

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



omnibus in nature. The name of the petitioner transpired in the present case on the basis of secret information. The petitioner was neither arrested from the spot nor any incriminating article has been recovered from the possession of the petitioner. The alleged recovery has been made from the premises of Shrikant Narayan Sharma, and the petitioner has no concern with him. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is, accordingly, dismissed.

(Anjani Kumar Sharan, J)

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