

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44639 of 2022

Arising Out of PS. Case No.-218 Year-2019 Thana- JOGBANI District- Araria

MD. NAJIM ANSARI @ NZJIM ANSARI Son of Wahid Ali Resident of
Village - Amari Kukran, P.s.- Dhamdaha, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. N. A. Shamsi, Advocate
For the State : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-01-2023 Heard both sides.

The petitioner apprehends his arrest in connection with Jogbani P.S. Case No.218 of 2019, registered for the offences punishable under Section 414 of the Indian Penal Code and Sections 27(b)(ii)/28/36 of Drugs and Cosmetics Act, 1940.

The prosecution case, as per the written report of Anit Kumar, A.S.I. of SSB submitted to Station House Officer of Jogbani Police Station is to the effect that on 31.07.2019 at 4.10 P.M. the police party was conducting vehicle check when a three wheeler tempo was intercepted from which, huge quantity of medicines were seized. The apprehended co-accused disclosed their names as Gayatri Devi and Md. Waris Ansari and they also suggested that they were being handed over the medicines by the petitioner and the consignment was to be delivered to the co-



accused, Sadrul. Subsequently, the house of the co-accused, Sadrul was raided from where, Nepali and Indian currencies were recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the petitioner is made accused in the instant case on the basis of confessional statement of co-accused, apprehended by the police. It is also submitted that similarly situated co-accused, Md. Sadrul @ Sadrul Ansari @ Md. Sadul has already been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 18.12.2019, passed in Cr. Misc. No.83759 of 2019.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Considering the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge,



Araria in connection with Jogbani P.S. Case No.218 of 2019,
subject to the conditions laid down under Section 438(2) of the
Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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