

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46324 of 2023

Arising Out of PS. Case No.-135 Year-2022 Thana- PARBATTa District- Khagaria

Dilkhush Kumar @ Dilkhush Yadav S/O Veda Yadav R/O Village- Chhoti
Lagar, Ps. Parbatta, Dist. Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-09-2023 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 20, 22 and 50 of the N.D.P.S. Act.

3. On secret information that there is Ganja in the maize field in village Chhoti Lagar Bahiyar, a raid was conducted and recovered 263.670kg Ganja. It is alleged that the apprehended person 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 no incriminating article has been recovered from the physical or constructive possession of the petitioner. He submits that name of the petitioner transpired on the statement of co-accused Sonu Kumar before the police



which has no evidentiary value in the eye of law. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail 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 N.D.P.S. Special Case No. 12 of 2022 arising out of Parbatta P.S. Case No. 135 of 2022.

(Anjani Kumar Sharan, J)

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