

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49694 of 2023

Arising Out of PS. Case No.-275 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

RAJA ANSARI @ MD. SAH ALAM SON OF MD. SHAKIL ANSARI
RESIDENT OF VILLAGE- ISLAMGANJ, PS- MOHANIA, DISTT-
KAIMUR AT BHABHUA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 16-08-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Mohania Police Station Case No. 275 of 2023, dated 27.04.2023, disclosing offences punishable under Sections 8 (C) /21 (A)/27(A) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
3. The prosecution case, as per the First Information Report, is that on the basis of secret information that one person is indulged in the trade of narcotic substance, reached the place of occurrence and on seeing the police party, one person tried to flee away, but he was apprehended by the police, who disclosed his name as Sahbaz Khan and on



search, the police recovered 1.4 gms. of heroine like substance from his conscious possession. The arrested co-accused further disclosed that he used to purchase the narcotic substance from the petitioner.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case at the instance of his enemies and no narcotic substance has been recovered from the possession of the petitioner. He further submits that the petitioner is in no way indulged in the trade of narcotic substance.
5. I have heard learned counsel for the parties and have perused the material available on record, including the impugned order.
6. From perusal of the materials available on record, it transpires that the arrested co-accused has disclosed the name of the petitioner as the person from whom he used to buy narcotic substance and the petitioner has criminal antecedent of similar nature of offence.
7. Considering the above, I do not find any reason to differ with the findings arrived at by the learned Sessions Judge, Kaimur, at Bhabhua, inasmuch as the case is under investigation, wherein the custodial interrogation of the



petitioner may be necessary based upon the material collected by the police during course of investigation. As such, I am not inclined to grant anticipatory bail to the petitioner.

8. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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