

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49843 of 2023

Arising Out of PS. Case No.-265 Year-2023 Thana- FORBESGANJ District- Araria

Prince Pankaj Son of Vivekanand Sah, Resident of Professor Colony Ward No
25 Forbesganj Ps Forbesganj, District Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal, Advocate

For the Opposite Party/s : Mrs. Rita Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 31-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Forbesganj P.S. Case No. 265 of 2023, corresponding to Special Case No.26 of 2023 registered for the offences punishable under Section 20 and 22 of N.D.P.S. Act pending in the Court of learned District and Sessions Judge, Araria.

3. As per prosecution in short is that the police got information that Bolero Pick-Up bearing Reg. No. BR-11GD-2192 is indulged in trading of the contraband narcotics like substance and the same is going to pass through Forbesganj Road and driver of the said vehicle and one person sitting tried to flee but were apprehended and on being asked they disclosed their name as Md. Israel (driver) and another person



told his name as Mitendra Kumar Bharti. Thereafter the police team started checking the vehicle and upon search total 29400 pieces of Tramadol tablets were recovered, each tablet containing 50 mg thereafter the total weight of the seized articles is weighing about 1470 grams.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner has no criminal antecedent as mentioned in Para-3 of the bail application. He further submits that petitioner is made accused in the present case because the accused persons was apprehended by the police with the contraband articles and they disclosed that they purchased the alleged recovered medicine from petitioner. He further submits that petitioner has not sold alleged medicine to the accused persons and due to previous enmity, the accused person has took the name of the petitioner.

5. Learned APP for the State opposes prayer for anticipatory bail and submits that apprehended person has given Rs.19300/- to the petitioner and after receiving the said amount, the medicine was given by the petitioner.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail.



The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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