

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55446 of 2022

Arising Out of PS. Case No.-576 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

Dhruv Pandey @ Dhruv Kumar Pandey@ Dhruv Pandit Son Of Late Vishnu
Pandey R/O Village- Bhairo Mandir Chaturbhuj Asthan, P.S.- Town, Distt.-
Muzaffarpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioner is apprehending arrest in connection
with Town P.S. Case No. 576 of 2021 under section 08(c)/21(b)
of NDPS Act.

As per the prosecution story, the police alleged in
the FIR that while patrolling and search of vehicle, they
apprehended Manoj Kumar and Gridhari Singh and from them
recovered/seized 44 sachet of 'Smack' (20 grams). Accordingly,
seizure list prepared, the FIR was lodged and they were taken
into custody.

The name of the petitioner in the confession of the
arrested persons. Accordingly, the prayer for grant of
anticipatory bail.



The learned counsel for the petitioner submits that Manoj Kumar is on inimical terms with him having taken cloth from his cloth shop and as such implicated him in this case despite the fact that he do not have criminal antecedent.

The learned APP submits that considering the recovery/seizure of 20 grams of 'Smack', his name has come in the FIR, and as such he has opposed the prayer for anticipatory bail.

Taking into account the aforesaid fact that the allegation is against him, this Court is not inclined to extend him the privilege of anticipatory bail which is accordingly rejected.

However, if he chooses to surrender before the concerned Court within four weeks from today, the Court shall take into account the fact that he do not have criminal antecedent, his name has come in the confessional statement, as per petition, he was running a cloth shop and will decide the same on its own merit without being prejudiced by any observation made herein.

(Rajiv Roy, J)

Ravi/-Ajay
Singh

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