

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64100 of 2022

Arising Out of PS. Case No.-56 Year-2022 Thana- BAJPATTI District- Sitamarhi

GYANI MUKHIYA Son of Ramnath Mukhiya R/v- Lalpur, P.S.-
Runnisaidpur, District- Sitamarhi (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-02-2023 Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehend his arrest in connection with Bajpatti P.S. Case No.56 of 2022, registered for the offence punishable under Sections 8 (C) 20(b) (ii) (B) of the N.D.P.S. Act.

Altogether seven packets of *Ganja* like substance has been recovered from the spot. The allegation against the petitioner is that after seeing the patrolling party the petitioner threw the bag on the spot and fled away.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no concern with the alleged recovery. The name of the petitioner transpired in the present case only on suspicion. He further submits that no contraband article has been recovered from the conscious possession of the petitioner. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail and submits that the petitioner is also involved in the present case.

Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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