

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65510 of 2022

Arising Out of PS. Case No.-474 Year-2020 Thana- DIGHA District- Patna

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VIKASH KUMAR S/O LATE VINAY RAY @ BINAY RAI @ VINAY RAI
Resident of village- Makhdumpur, P.S.- Digha, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

The petitioner apprehends his arrest in connection with Digha P.S. Case No.474 of 2020, giving rise to Special Case No.200 of 2020, registered for the offences punishable under Sections 20/20 of the N.D.P.S. Act.

The petitioner is said to have used to sell *Ganja*.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got one criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that the petitioner is made accused in the instant case on the basis of confessional statement of co-accused, Bittu Kumar. It is also submitted that the police has not recovered contraband



article from the house of the petitioner. The recovered *Ganja* is less than the commercial quantity.

The learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected.

However, if petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced by this order considering the fact that no contraband article has been recovered from the house of the petitioner.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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