

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68860 of 2022**

Arising Out of PS. Case No.-1 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Gaya

=====

PAPPU KUMAR @ PAAPU JAISWAL S/O Shiv Nath Choudhary C/O Priyal
Automobile, R/O Village- Govindpur, Tola- Govindpur, Panch Bajitpur
Saidat, near Chakosan Hat Block, P.S- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

THE UNION OF INDIA NEW DELHI

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Chitranjan Sinha, Sr. Adv.

Mr.Ranjit Kumar Yadav

For the Opposite Party/s : Mr.K.N.Singh (A.S.G.), APP.

=====

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 10-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 8(c), 20(b)(ii)(c),
25, 29 and 35 of NDPS Act.

Altogether 702 kg *Ganja* was recovered from a truck.
Two persons were apprehended by the police on the spot.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. No
such occurrence as alleged ever took place. No incriminating
article has been recovered from the conscious physical
possession of the petitioner rather 702 kg *Ganja* is said to have



been recovered from a truck. Petitioner has no concern either with the seized *Ganja* or the place of recovery or any trade of *Ganja*. Petitioner is not named in the FIR. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been falsely implicated in this case at the instance of his enemy. He was not apprehended on the spot. There is nothing on record to indicate the complicity of the petitioner barring the confessional statement of the apprehended person which has no evidentiary value in the eye of law. Petitioner has two criminal antecedents of similar nature of offence under NDPS Act, as mentioned in para-3 of this application.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioner is serious in nature, hence he does not deserve anticipatory bail.

Considering the facts and circumstances of case and the fact that petitioner has two criminal antecedents of similar nature, as it is not a fit case for granting the privilege of anticipatory bail, hence I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.



However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below shall pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

