

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22498 of 2024

Arising Out of PS. Case No.-213 Year-2023 Thana- BRAHMPURA District- Muzaffarpur

Mantu Kumar @ Mantu Jaiswal S/o Dharmendra Prasad R/o Village- Tonwa,
P.S.- Jharokhar, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar

For the Opposite Party/s : Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-04-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Brahmpura P.S. Case No.213/2023, registered for the offence punishable under Sections 402, 399, 414 of the Indian Penal Code & Sections 8(c) and 21(b) of the N.D.P.S. Act, pending in the Court of learned Special Judge-II N.D.P.S. Act, Muzaffarpur.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and has been falsely implicated in the instant case based on the confessional statement of apprehended accused, who are apprehended from the spot carrying smack. It is next submitted that altogether 169 grams of smack like substance has been recovered from five



named accused persons, who named the petitioner as their gang leader. It is further submitted that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and confessional statement made before the police does not have any evidentiary value.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that it is a case under N.D.P.S. Act and allegation is of total recovery of 169 grams of smack like substance from five different named accused persons and from their statement, it appears that it was the petitioner, who was leading them. It is further submitted that investigation in the case is in initial stage, as such, if the privilege of anticipatory bail granted to the petitioner, the petitioner may abscond.

5. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. Accordingly, the anticipatory bail application of the petitioner is rejected.

(Satyavrat Verma, J)

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