

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28453 of 2024

Arising Out of PS. Case No.-353 Year-2023 Thana- JAYNAGAR District- Madhubani

=====

SUSHIL KUMAR PANZIAR @ SUSHIL PANZIAR SON OF LATE
RAJENDRA PANZIAR RESIDENT OF MARWARI MOHALLA
JAINAGAR, P.S. - JAINAGAR, DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	: Mr.Ajay Thakur
	Mrs.Vaishnavi Singh
For the Opposite Party/s	: Mr.Dilip Kumar No.1, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-07-2024 Heard Mr. Ajay Thakur, learned counsel on behalf of

the petitioner as well as Mr. Dilip Kumar No.1, learned APP

for the State.

2. The petitioner apprehends his arrest in a case

registered for the offence punishable under Sections 8(c),

21(b), 21(c), 22(c) of the Narcotic Drugs and Psychotropic

Substance Act.

3. As per the FIR, a raid was conducted in the shop of the

co-accused namely, Akhilesh Kumar Panziar, who is the son

of the petitioner, and huge quantity of illicit intoxicating

tablets and codeine containing cough syrup was recovered.

4. 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. There is no specific overt act against the petitioner. He has been made accused in the present case merely on the basis of suspicion because he is the father of co-accused Akhilesh Kumar Panziar. There is no recovery of contraband article from the possession of the petitioner. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. 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.

7. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law considering that there is no recovery from the petitioner and petitioner is



not the owner of the said shop and he has been made accused
only because he is the father of co-accused namely, Akhilesh
Kumar Panziar .

(Anjani Kumar Sharan, J)

shikha/-

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

