

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43066 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- SARSI District- Purnia

Tinku Yadav Son Of Sugga Yadav @ Suggi Lal Yadav Resident Of Village -
Sarsi Milik, P.S. - Sarsi, District - Purnea

... .. Petitioner/s

Versus

- 1. The State Of Bihar
- 2. The Narcotics Control Bureau, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr. Raj Kishor Singh, APP
For the UOI	:	Mr. Kumar Ravish, CGC, UOI

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner, learned
CGC for the Union of India and learned APP for the State.

2. The petitioner apprehends arrest in Sarsi P.S. Case
No. 48 of 2024, registered under Sections 8(c) and 21(b) of the
NDPS Act.

3. The prosecution case, in short, is that, 15gm smack
was recovered from the possession of the co-accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel for the petitioner



further submits that name of the petitioner has transpired on the basis of confessional statement of co-accused persons namely Dablu Singh and Suman Kumar on spot. The petitioner has got one criminal antecedent in which the petitioner is on bail.

5. Learned APP for the State and learned CGC for the Union of India have vehemently opposed the prayer for grant of bail to the petitioner. Learned CGC for the Union of India has further submitted that the petitioner is named in the F.I.R. as the apprehended co-accused persons disclosed the name of the petitioner on spot. The petitioner is involved in illegal business of contraband.

6. Considering the aforesaid facts and circumstances and the nature of allegation, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below within a period of four weeks and prays for regular bail. If such an application is filed, the same shall be disposed by the Court below without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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