

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.49983 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- KANHHAULI District- Sitamarhi

Chandan Kumar Son of Sikinder Mahto R/o Village- Madhesara, Ward No.13,
P.S.- Bhutahi, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar
For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 28-08-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Kanhauli Police Station Case No. 61 of 2024, dated 04.05.2024, disclosing offences punishable under Sections 8/20 (b) (ii) (B) of the Narcotic Drugs and Psychotropic Substances Act, 1985.
3. The prosecution case, as per the First Information Report, is that the police, on secret information that two persons, coming on a motorcycle from Nepal, are carrying a huge consignment of ganja, intercepted one motorcycle and on seeing the police, the persons on the motorcycle tried to



flee away, but the motorcycle fell down and the police arrested the pillion rider and recovered 11.5 kgs,. of ganja kept in the middle of the motorcycle. The person, who was riding the motorcycle, succeeded in fleeing away and the arrested co-accused person disclosed his name as the petitioner and confessed that both of them used to purchase ganja from Nepal and sell it in small quantity.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case at the behest of local chowkidar. He further submits that he has no concern with the arrested co-accused and/or recovered ganja. He further submits that the petitioner has got no criminal antecedent and his name has been disclosed by the arrested co-accused person. He further submits that the petitioner is a student of 19 years.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the name of the petitioner has been disclosed by the arrested co-accused and 11.5 kgs. of ganja has been recovered from the motorcycle which was allegedly driven by the petitioner, I am not inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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