

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50334 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- FULKAHA District- Araria

Amlesh Kumar Son Of Ram Vriksh Mehta R/O- Village- Ward No. 06,
Koriyapatti, Devipur P.S.- Raghapur, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Ramesh Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 13-11-2024 Heard learned Senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in Fulkaha P.S.
Case No. 55 of 2024 registered for the offences punishable
under Sections 8, 20(b)(ii)(C) of the Narcotics Drugs and
Psychotropic Substance Act, 1985.

3. As per the prosecution case, 35 kg Ganja was
recovered from a car bearing registration number BR 50AB
9181.

4. Learned Senior counsel for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. The allegation levelled against the petitioner is not
specific rather general and omnibus in nature. He submits that



petitioner is the owner the alleged car and due to this reason his name has been emerged in the present case. He submits that the petitioner along with wife has started their traveling from Supaul to Patna by train bearing ticket no. URF 89016255 and URF 890166256 to attend D.EL. Joint Entrance Test, 2024, held on the same day i.e. 08.08.2024 and the journey ticket was produced before the police but the police has not entertained the petitioner. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order, considering the fact that petitioner has no criminal antecedent, no contraband article has been recovered from the conscious possession of the petitioner and the petitioner is made



accused in the present case only because he is the owner of the
alleged car and it is an admitted fact that the petitioner was not
present at the place of occurrence.

(Anjani Kumar Sharan, J)

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