

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61619 of 2024

Arising Out of PS. Case No.-52 Year-2024 Thana- JOGBANI District- Araria

Md. Sadrul @ Sadrul Ansari Son of Late Jalim Miya @ Jamaluddin R/o
Village- Indra Nagar Thikuliya, P.S.- Jogbani, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Munish Om Prakash Singh, Advocate
Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 22-11-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Jogbani P.S Case no. 52 of 2024 registered under sections 21 and 22 of the N.D.P.S Act.

3. As per the prosecution case, the informant states that seeing the police personnel, the two accused persons of which one was a woman and another a man managed to escape. The petitioner was identified among the accused who escaped. It is further stated that on search the medicines, details of which has been given in the FIR, were recovered.

4. Learned counsel for the petitioner submits that the petitioner who is in custody since 13.7.2024 has been falsely implicated in the case. No incriminating article has been



recovered from his possession or from his house. With respect to the statement made in paragraph no. 3 of the petition, it is submitted that the same was an inadvertent error and for which a supplementary affidavit has been filed admitting the mistake. The petitioner undertakes to cooperate in the case/trial.

5. The application for bail is opposed by learned APP for the State, who submits that besides the case being under the N.D.P.S Act, the petitioner suppressed his antecedent in paragraph no.3 of the petition. It was only on the same transpiring in the case diary that on the direction of this Court as contained in order dated 28.10.2024 that the affidavit has been filed disclosing his other antecedents which also includes an antecedent under the N.D.P.S Act as also under the Bihar Prohibition and Excise Act, 2016.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, the list of the medication having been recovered from the petitioner's house as is evident from the contents of the FIR together with the suppression made in paragraph no.3 of the petition with respect to the antecedent of the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.



7. Learned trial Court is directed to expedite the trial.

8. Liberty is granted to the petitioner to renew his prayer for bail after framing of charge or on completion of one year in custody, whichever is later.

(Partha Sarthy, J)

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