

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69632 of 2024

Arising Out of PS. Case No.-299 Year-2024 Thana- NARPATGANJ District- Araria

Manish Kumar @ Manish Yadav Son of Sri Avindev Yadav Resident of
village - Fatehpur, P.S.- Narpatganj, District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thakur, Adv.
Mrs.Vaishnavi Singh, Adv.
Mr.Ritwik Thakur, Adv.

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
Narpatganj P.S. Case No.299 of 2024, registered for the offence
punishable u/s 21(b) of the Narcotic Drugs and Psychotropic
Substance Act (in short 'N.D.P.S. Act).

3. Altogether, 58 grams of powder like smack along with
one electronic weighing machine and cash Rs.380/- is said to
have been recovered from the spot.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence.
He has been falsely implicated in this case due to ulterior
motive. No incriminating article has been recovered from the



conscious physical possession of the petitioner. From bare perusal of the seizure list, it is evident that the same was not prepared either at the shop or the house of the petitioner but it was prepared in Ward no.13 in village Fatehpur, from where the recovery has been made and the petitioner has no concern with the said place. Petitioner has no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances and the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioner is at liberty to surrender before the learned Court below within a period of six weeks and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law, considering that the petitioner has no criminal antecedent and that no recovery has been made from his possession.

(Anjani Kumar Sharan, J)

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