

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68544 of 2023

Arising Out of PS. Case No.-9 Year-2022 Thana- UPHARA District- Aurangabad

=====

DHARMENDRA KUMAR @ DHARMENDRA SINGH S/O SHIV
PRASAD SINGH R/O VILLAGE- GAGAPUR, P.S- DEWKUND, DISTT.-
AURANGABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned A.P.P.

for the State

2. The petitioner apprehends his arrest in Uphara P.S. Case No.
9/2022 registered for the offences punishable under Section 8/20
(b) (ii), (B)/25 N.D.P.S. Act.

3. 1.486 kgs. of Ganja is said to have been recovered from the
shop of one Aditya Paswan and the said Aditya Paswan took
the name of the petitioner as one of his accomplice.

4. It is submitted by learned counsel for the petitioner that no
such occurrence as alleged ever took place. He has been falsely
implicated in this case. The allegation levelled against the
petitioner is not specific rather general and omnibus in nature.
It is further submitted that the apprehended accused Aditya



Paswan took the name of the petitioner due to previous dispute and enmity. Petitioner has one criminal antecedent of similar nature of the offence as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the petitioner is a habitual offender as he was earlier made accused in another case for the similar nature of the offence. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case as also the criminal antecedent of the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. 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 in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

