

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82436 of 2024

Arising Out of PS. Case No.-474 Year-2024 Thana- ARARIA District- Araria

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Dipak Mahto @ Dipak Kumar Son of Rumasum Mahto @ Rumsum Mahto
Resident of Village- Bind Tola, Omnagar, Ward No. 08, P.S. and District-
Arari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate
For the Opposite Party/s : Mr. Dilip Kr. No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and Mr. Dilip Kr.
No. 1, learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Araria P.S. Case No.474 of 2024, registered for the
offences punishable u/s 8(c)/ 21(a) of the N.D.P.S. Act.

3. Altogether 4.33 grams of smack is said to have been
recovered from place of occurrence near Bind Tola, Omnagar.
One person was apprehended on the spot who disclosed the
name of the petitioner.

4. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and has committed no 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 rather recovery has been made from the possession of apprehended person. Petitioner has no concern either with the seized liquor or any trade of liquor. He was not apprehended on the spot and his name transpired in the case on the basis of the confessional statement of the apprehended co-accused. Petitioner has one criminal antecedent as mentioned in para 3 of the bail application.

5. Having regard to the facts and circumstances of the case and considering the nature of offence, I am not inclined to enlarge him on anticipatory bail. The prayer for grant of bail on behalf of the petitioner is hereby rejected.

6. Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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