

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 39915 of 2023

Arising Out of PS. Case No.-87 Year-2014 Thana- DAWATH District- Rohtas

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Amit Kumar Sharma @ Amit Kr. Sharma S/O Late Shyam Sundar Sharma
R/O Railway Colony, Quarter No.-9g, Loco Bajar, Burdwan, P.S. And Distt.
Bardhman (West Bengal)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak, Advocate
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 02-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Dawath P.S. Case No. 87 of 2014 for the offence under Sections 20(B)(C), 22(C) and 29 of the NDPS Act.

3. As per the prosecution story, the informant being a police official has stated that during the course of patrolling he got information that on NH-30 one Safari car bearing Reg. No. HR12J6555 is standing which is carrying Ganja or other illegal material. On this information, he reached there and saw the vehicle which is loaded with bags in middle row and dickey and



after waiting for its driver or owner he informed the Circle Officer and also called two independent witnesses. The vehicle was searched in presence of aforesaid persons and total 108.5 Kg. Ganja was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence at all. He has falsely been implicated in this case without any reason. The petitioner is not named in the prosecution story nor in the further statement of the informant. The petitioner is not registered and real owner of the seized vehicle i.e., Tata Safari Registration No. HR12J6555. Till today, the petitioner or his family members have not received any notice under Section 41 Cr.P.C. issued by I.O. of the case. Lastly, he prayed to enlarge the petitioner on bail.

5. Learned APP opposes the prayer for bail.

6. It is considerable fact here that earlier the bail application of the petitioner was rejected on the same ground and recently, the alleged seized vehicle has been released in favour of the petitioner on the petition given by him holding that the actual owner of the seized vehicle is the petitioner from which Ganja has been recovered. Earlier, his bail petition has been rejected and now there is no fresh ground. Keeping in view



the aforesaid facts, this Court is not inclined to extend him the privilege of anticipatory bail.

7. Accordingly, the present anticipatory bail application stands rejected.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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