

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69527 of 2024

Arising Out of PS. Case No.-227 Year-2024 Thana- ADAPUR District- East Champaran

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Nausad Alam @ Nausad Ali Son of Late Rajak Miya Resident of Village-
Jamunbhar, P.S.- Adapur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 29-01-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Shri. Chandra Bhushan Prasad.

2. The petitioner apprehends his arrest in connection
with Adapur P.S. Case No. 227 of 2024 registered for the
offences punishable under Section 132 of B.N.S and Sections
8/20(b), (ii), (c) of Narcotic Drugs and Psychotropic substances
Act.

3. Learned counsel for the petitioner submits that
allegation is of recovery of 131 Kg of *ganja* from the house and
car of the co-accused.

4. It is next submitted that name of the petitioner
transpired in the present case based on confessional statement of
co-accused in police custody, which does not have any
evidentiary value. It is submitted that wife of the petitioner is a



Panchayat Secretary Member and is having dispute with the *Mukhiya* of the Gram Panchayat and it was at the instance of *Mukhiya* that the apprehended accused implicated the petitioner in the instant case. It is further submitted that the wife of the petitioner has also represented before the concerned Superintendent of Police stating therein that her husband has been falsely implicated on account of rivalry. It is next submitted that apart from confession, nothing has come during the course of investigation, which could even remotely connect the petitioner with the offence.

5. Learned A.P.P. for the State, Shri. Chandra Bhushan Prasad, opposes the prayer for anticipatory bail of the petitioner and submits that petitioner has antecedent of five cases though not under the N.D.P.S Act, but then it is submitted that the quantity of recovery of ganja is huge and the apprehended accused, in his confessional statement, has taken the name of the petitioner. It is also submitted that if the privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.



7. Accordingly, the prayer for anticipatory bail of the
petitioner is rejected.

(Satyavrat Verma, J)

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