

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31477 of 2015

Arising Out of PS.Case No. -170 Year- 2014 Thana -BABUBARHI District- MADHUBANI

1. Md. Nayeem S/o Md Abdul kayun Resident of Village Basaha, P.s Babubarhi, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 31-07-2015 Heard both sides.

The petitioner apprehends his arrest in a case under
Section 22 and 23 of N.D.P.S. Act.

On secret informant a raid was conducted in the
house of the petitioner and from where 2.5 kg. Ganja was
recovered.

Submission is that the recovery was made from the
joint house. Seizure list witnesses are the co-sharers of the
petitioner with whom the petitioner has got enmity. The petitioner
has got no criminal antecedent.

Considering the fact that 2.5 kg. Ganja was recovered
from the house of the petitioner, I am not inclined to enlarge the
petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, i.e., learned Sessions Judge, Madhubani in Babubarhi P. S. case No. 170/ 2014, and pray for regular, the court below shall consider his prayer for regular bail on merit without being prejudiced by this order.

(Prabhat Kumar Jha, J)

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