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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2950 of 2015

Arising Out of PS.Case No. -54 Year- 2014 Thana -ALAMNAGAR District- MADHEPURA

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Rajiv Kumar @ Raju Singh, son of Late Kumod Singh, resident of Village- Basanbara, P.S. Alamnagar, District - Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:
For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 21-01-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered under Sections 15, 18 and 46 of the N.D.P.S. Act.

The informant, a police official, got secret information that cannabis plants were being cultivated by the petitioner in different fields and thereafter a raid was conducted. It was found that in the field of one Chandrakala Devi, bearing Khata No. 137, Khesra Nos. 1363, 1367, cannabis plants were being grown. It was revealed by the villagers that Chandrakant Singh, the husband of said Chandrakala Devi, was looking after the said field. It is further alleged that in the field of the petitioner Raju Singh, cannabis plants (opium) were being grown and, on verification, it was found that 500 plants of opium were grown in the field of the petitioner, which bore fruits and flowers.

Mr. N.K. Agrawal, learned Senior Advocate appearing for the petitioner, submits that according to the allegation, it is alleged that Sanjay Singh has cultivated opium plants. The land is owned by the joint family of the petitioner. The land is not in exclusive possession of the petitioner. The informant has not collected any document to show the exclusive possession of the land by the petitioner. The petitioner is a student.

Having considered the nature of allegation and the fact that the informant has got a very specific information that in the field of the petitioner Raju Singh, son of Late Kumod Singh, Sanjay Singh has grown opium plants, I am not inclined to enlarge the petitioner on anticipatory bail in Alamnagar P.S. Case No. 54/2014, pending in the court of the learned Sessions Judge, Madhepura.

Accordingly, the application for anticipatory bail is rejected.

If the petitioner surrenders in the court below within four weeks from today and makes prayer for regular bail, the court below shall consider the prayer for regular bail of the petitioner without being prejudiced by this order.

(Prabhat Kumar Jha, J)

Dilip/-

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