

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 4011 of 2017

Arising out of P.S. Case No. - 189 Year - 2016 Thana - ASHTHWAN District - NALANDA
(BIHARSHARIFF)

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Janardan Prasad @ Danu, Son of Late Ayodhya Prasad, resident of village
Noawan, P.S. Asthanwan, District Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sudhir Kumar, Advocate

For the Opposite Party : Mr. Shyam Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-03-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 20(A) of the
Narcotic Drugs and Psychotropic Substances Act, 1985.

From the backside of Gosala of this petitioner two big
plants of Ganja and one small plant of Ganja was, allegedly,
recovered and the total quantity was about 15 Kg. 200 Gram.

Submission of the petitioner is that the recovered
quantity was not commercial quantity and the petitioner has got no
criminal antecedent. Moreover, petitioner had no knowledge of the
aforesaid stray grown-up plant.

Considering the nature of allegation, I am not
inclined to grant anticipatory bail to the petitioner in connection



with Asthawan Police Station Case No. 189 of 2016 pending in the Court of learned Sessions Judge-cum-Special Judge, Nalanda, Bihar Sharif. Hence, prayer for bail is refused.

However, in the event of surrender of the petitioner, prayer for regular bail shall be considered without being prejudiced of this order.

(Birendra Kumar, J)

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