

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22698 of 2017

Arising Out of PS.Case No. -186 Year- 2015 Thana -KHODABANDPUR District- BEGUSARAI

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Shankar Mahton, Son of Guljar Mahto, resident of Village- Sinarpura
Fafout, P.S.- Khodwandpur, Distt.- Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Mr. Binod Kumar 3

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 07-07-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Khodawandpur P.S. Case No. 186 of 2015 for the offences punishable under sections 20 (ii) (c) and 22 (C) of the N.D.P.S. Act.

Allegedly, acting on a tip off that the petitioner has kept ganja in huge quantity in his cow-shed, raid was conducted and the petitioner succeeded in fling away and from that cow-shed 423 kilograms ganja was recovered.

Submission is of false implication and that the petitioner has been made victim of the circumstances, nothing has been recovered from his conscious possession, the cow-shed is not



of the petitioner, he has not been apprehended at the spot, only on the basis of statement of Chaukidar that the petitioner succeeded in fleeing away he has been made accused, there is no report regarding the alleged recovered article and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that huge quantity of ganja was recovered from the cow-shed of the petitioner.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of the Special Judge, Begusarai.

(Jitendra Mohan Sharma, J)

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