

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.62923 of 2018**

Arising Out of PS. Case No.-99 Year-2018 Thana- MANSAHI District- Katihar

Sunil Chaudhary S/o. Late Raghunath Chaudhary, R/o. Village- Kajra  
Basantpur, P.S. Mansahi, District- Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      09-01-2019                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection with Special N.D.P.S. Case No.14 of 2018, arising out of Mansahi P.S. Case No.99 of 2018, registered for the offences punishable under Sections 8/20(b)(ii)(a)/25 of the N.D.P.S. Act.

From the roof of the house of this petitioner 310 gms. of Ganja was recovered in different small packets.

Submission is that recovery is not from the conscious possession of the petitioner and petitioner has got no criminal antecedent. The house is occupied by other family members also.

Considering the nature of allegation, this is not a fit case for grant of anticipatory bail. Hence, the prayer for



anticipatory bail is refused. However, in the event of surrender of the petitioner, the prayer for regular bail shall be considered without being prejudiced by this order and considering the fact that allegation of recovery is of small quantity.

**(Birendra Kumar, J)**

Mkr./-

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