

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28920 of 2020

Arising Out of PS. Case No.-39 Year-2020 Thana- GHOSI District- Jehanabad

1. KAMLESH PASWAN S/o Lalan Paswan Resident of Village- Barhaki, Babhanpura, P.S.- Ghosi, District- Jehanabad.
2. Jhunu Paswan S/o- Tapeswar Paswan Resident of Village- Barhaki, Babhanpura, P.S.- Ghosi, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2020 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State, through Video Conferencing.

This application, for grant of anticipatory bail, arises out of Ghoshi Police Station Case No. 39 of 2020, disclosing offences under Sections 20/22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

The prosecution case, as per the First Information Report, is that on 03.02.2020, the police, on the basis of confidential information, raided the houses of the petitioners and recovered 2 kgs. of ganja from each of the houses of the petitioners.



Learned Counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and at the time of raid, the petitioners were not present in their respective houses and the procedure for search and seizure, as prescribed under Section 42 of the Narcotic Drugs and Psychotropic Substances Act, 1985, has not been followed.

After having heard learned Counsel for the parties concerned and taking into consideration the materials on record and the fact that 2 kgs. of ganja has been recovered from each of the houses of the petitioners, I am not inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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