

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29454 of 2020

Arising Out of PS. Case No.-129 Year-2013 Thana- KAUWAKOL District- Nawada

PRAMOD SINGH Son of Late Hansraj Singh Resident of Village - Kharsari,
P.S.- Kawakole, District - Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Singh
For the Opposite Party/s : Ms. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-12-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State, through Video
Conferencing.

This application, for grant of anticipatory bail, arises
out of Special Case No. 02 of 2014, arising out of kawakole
Police Station Case No. 129 of 2013, disclosing offences under
Section 20/22 of the Narcotic Drugs and Psychotropic
Substances Act, 1985 and Section 47 (A) of the Excise Act.

The prosecution case, as per the prosecution Report, is
that 12 kgs. of ganja plants has been recovered from the
courtyard of the petitioner.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and the house, in question, is a joint family property, in which
the petitioner, along with other co-sharers, reside. He further



submits that the ganja plants, in question, has not been recovered from the physical or conscious possession of the petitioner.

On the other hand, learned Additional Public Prosecutor vehemently opposes the prayer for anticipatory bail and submits that the First Information Report has been lodged in the year 2013 and there is specific allegation that 12 kgs. of ganja plants have been recovered from the courtyard of the petitioner and, as such, the petitioner does not deserve the privilege of anticipatory bail.

After having heard learned Counsel for the parties concerned and taking into consideration the materials on record and the fact that large quantity of ganja plants has been recovered from the courtyard of the petitioner and the petitioner has moved this court for grant of anticipatory bail after a lapse of about seven years from the date of lodging of the First Information Report, I am not inclined to exercise my discretion for grant of anticipatory bail.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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