

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79567 of 2019

Arising Out of PS. Case No.-546 Year-2019 Thana- RAMKRISHNANAGAR District- Patna

SUNNY KUMAR S/O- Sri Vijay Singh R/V- Amera, P.S. - Tharthari, Distt.-
Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioner and the

State.

The petitioner is apprehending arrest in a case
registered for the offences punishable under Sections 20, 22,
24 of the NDPS Act.

The prosecution case is that 6 Kg 400 grams Ganja
were recovered from a house rented by Gollu Kumar @
Bhawani Singh. During investigation, Gollu Kumar, disclosed
that his younger brother namely, Sunny Kumar and cousin,
Gaurav Kumar were living in the rented house.

It is submitted by learned counsel for the petitioner
that the said recovery cannot be treated from the conscious
physical possession of the petitioner and the recovery is
between the small and commercial quantity. A statement has



been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Considering the statement of the brother of the petitioner to the effect that the place of seizure was in occupation of the petitioner, this Court is not inclined to consider the prayer for anticipatory bail of the petitioner.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Special Case No.92 of 2019, Ram Krishna Nagar P.S. Case No.546 of 2019, pending before the learned Sessions Judge-cum-Special Judge, Patna.

With the above observation, this application is, accordingly, disposed of.

(Dinesh Kumar Singh, J)

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