

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15681 of 2022**

Arising Out of PS. Case No.-1132 Year-2021 Thana- KHAJANCHI HAT District- Purnia

BHUTTO @ MD. SHAMIM Son of Late Md. Hussain a Resident of  
Mahboob Khan Tola P.S. Khajanchi- Hat (Sahayak), District - Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      20-09-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 8(C), 20(b)(ii)(A), 8(c) and 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

The informant alleges that house of the petitioner was raided from where narcotics as detailed in the FIR was recovered along with cash.

Learned counsel for the petitioner submits that petitioner has antecedent of one case under the NDPS Act and has been falsely implicated in the present case and the money which was recovered was his own money, it is next submitted that if the alleged recovery of narcotics is presumed to be true, without admitting, then the same is less than small quantity.



Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that petitioner has one antecedent and that too under the NDPS Act, 1985 as such the petitioner should not be extended the privilege anticipatory bail application.

Considering the submission made by learned APP for the State, the Court is not inclined to extend the anticipatory bail to the petitioner. His prayer for anticipatory bail is thus rejected.

**(Satyavrat Verma, J)**

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