

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59879 of 2021

Arising Out of PS. Case No.-574 Year-2021 Thana- KHAJANCHI HAT District- Purnia

MITHUN PASWAN Son of Late Gopal Paswan R/o Village - New Sipahi
Tola, P.S.- K. Hat (Madhubani), District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with K. Hat (Madhubani TOP) P.S. Case No. 574 of 2021 instituted for the offence punishable under Section 20(b), (ii), (c), 22(c) of Narcotic Drugs and Psychotropic Substances Act.

Prosecution case relates to recovery of 1.8 Kilogram of Ganja like substance from the grocery shop of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. He has got no criminal antecedent. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. For



the same offence, petitioner's wife is also made an accused and she has been granted regular bail by a co-ordinate Bench of this Court.

Learned APP appearing for the State has opposed the prayer of bail and submits that the alleged shop belongs to the petitioner.

Having heard learned counsel for the parties and taking into consideration that the alleged shop belongs to the petitioner, from where recovery of Ganja like substance has been made, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below considering the fact that for the same offence, two members (husband and wife) of a family are made accused.

(Sunil Kumar Panwar, J)

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