

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9290 of 2021

Arising Out of PS. Case No.-21 Year-2020 Thana- NIMCHAKBATHANI District- Gaya

1. DILIP CHAUHAN Son of NARESH CHAUHAN Resident of Village - Ganpat Nagar, P.S. - Neemchak Bathani, District - Gaya.
2. Shankar Chauhan Son of Naresh Chauhan Resident of Village - Ganpat Nagar, P.S. - Neemchak Bathani, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Raj

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-01-2022 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Neemchak Bathani P.S. Case no. 21 of 2020 instituted for the offence punishable under Section 20(b) (2) of NDPS Act.

Prosecution case relates to recovery of two kilograms



ganja in two polythene bags each from the room of both the petitioners. Each bag containing one kilogram ganja.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely implicated in this case. They have got no criminal antecedent. Petitioner are not living regularly in their house and they have no concern with the alleged recovery. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from their conscious and constructive possession.

Learned APP appearing for the State has opposed the prayer of bail.

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

(Sunil Kumar Panwar, J)

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