

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56405 of 2022

Arising Out of PS. Case No.-27 Year-2022 Thana- NARHATT District- Nawada

Manoj Singh @ Manoj Kumar @ Manoj Kumar Singh S/O Birja Singh @
Brijnandan Singh@ Brujanandan Singh Resident Of Village-Khanawa, Police
Station- Narhat, District- Nawadah

... .. Petitioner

Versus

1. The State of Bihar
2. The Union of India New Delhi

... .. Opposite Party/s

Appearance:

For the Petitioner : Ms. Sarita Kumari, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-01-2023 Heard Ms. Sarita Kumari, learned counsel for the
petitioner and learned APP for the State.

The petitioner apprehends his arrest in connection with
Narhat Police Station Case No. 27 of 2022 for the offence
registered under Sections 8(b)/20(a)(1) of the N.D.P.S. Act.

As per the prosecution story, the allegation is that on
secret information that *Ganja* plants are being grown in the
bathan of the present petitioner. The police raided and found
Ganja plants which weigh 40 kg. Accordingly, the same were
seized and F.I.R. was lodged.

Learned counsel for the petitioner submits that nothing
has been recovered from conscious possession and they were

not living at the place of occurrence and have no role to play in the matter.

Learned APP on the other hand submits that the quantity that has been seized is in the teeth of Section 37 of the N.D.P.S. Act.

Taking into account aforesaid rival submissions, this Court is not inclined to extend the period of anticipatory bail which is accordingly rejected.

If, however, the petitioner surrenders before the concerned Court and prays for bail, the Court will take into account that the said 40 kg includes the plant, he does not have criminal antecedent and further as per the averments made he was serving as security guard at Delhi and the same be disposed of expeditiously.

(Rajiv Roy, J)

Shahnawaz/Vats-

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