

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30311 of 2024

Arising Out of PS. Case No.-156 Year-2023 Thana- KISHANPUR District- Supaul

SURESH CHAUDHARI SON OF LATE MAHENDRA CHAUDHARI @
MAHENDRA CHOUDHARY Resident of VIilage - Parsamadho Ward, No.
9, P.S. - Kishanpur, District - Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh, Adv.

For the Opposite Party/s : Mrs.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Petitioner is apprehending his arrest in connection with
Kishanpur P.S. Case No.156 of 2023, registered for the offence
punishable u/s 8, 20(b)(ii)(c) of the N.D.P.S. Act.

3. Allegedly, 4.700 kg ganja is said to have been recovered
by the police from the grains of petitioner and the petitioner is
alleged to have escaped from the spot.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence.
He has been falsely implicated in this case due to ulterior
motive. No such occurrence in the manner as alleged has ever
taken place. No incriminating article has been recovered from



the conscious physical possession of the petitioner. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail by submitting that the anticipatory bail application of the similarly situated co-accused has been rejected by this Court vide order dated 21.12.2023 passed in Cr. Misc. No.81524 of 2023.

6. Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioner is at liberty to surrender before the learned Court below within a period of six weeks and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law, considering that petitioner has no criminal antecedent, no contraband article has been recovered from the possession of the petitioner and the quantity of contraband article was small.

(Anjani Kumar Sharan, J)

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