

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42769 of 2024

Arising Out of PS. Case No.-761 Year-2023 Thana- NARPATGANJ District- Araria

Nitish Kumar Choudhary S/O Radhe Shyam Choudhary R/O Villge-
Chakarwa Sonapur, Ward No 05, P.S- Narpathganj (BATHNAHA) Distt-
Araria

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti, Adv.
For the Opposite Party/s : Mr.Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-07-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Narpatganj (Bathnaha) P.S. Case No.761 of 2023 under Sections 8/20b (ii) (C) of the N.D.P.S. Act.

3. As per the prosecution, the FIR has been lodged against three named accused persons including the petitioner against whom there is allegation of recovery of total 48 Kg ganja from their possession, which is subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits



that the petitioner has falsely been implicated in this case. He further submits that the said recovery of ganja has not been recovered from conscious possession of the petitioner and he has made accused only on suspicion.

5. Counsel also submits that antecedent of the petitioner is clean.

6. Learned APP for the State opposes the prayer for bail and submits that the said recovery of ganja is more than the small quantity.

7. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner, therefore the bail application of the petitioner is hereby rejected.

8. However, trial court is directed to consider the regular bail application of the petitioner, if he surrenders within 4 weeks from today and prays for regular bail, then trial court shall pass order without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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