

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49375 of 2024

Arising Out of PS. Case No.-193 Year-2024 Thana- MADHEPURA District- Madhepura

Raunak Kumar Son of Ashok Yadav R/o village - Sakarpur, Ward No.- 2, P.S.-
Bharrahi O.P. Udakishunganj, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisu Zzoha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 21-08-2024 1. Heard learned Counsel for the petitioner and
learned APP for the State.
2. This application, for grant of anticipatory bail,
arises out of Madhepura PS case no. 193 of 2024, disclosing
offences punishable under Sections 8(c), 21(B) of the
Narcotic Drugs and Psychotropic Substances Act, 1985.
3. The prosecution story, as per the First
Information Report, is that on secret information that near
Karpori Chowk at Ward no. 21 in the house of Lalan Jha, a
tenant namely Raunak Kumar has brought drugs, the
informant along with police party reached there. On seeing
police party, a boy standing there, succeeded in fleeing away



but in presence of independent witnesses namely Arvind Thakur and Munna Poddar, room of Raunak Kumar was searched and Rs. 1,20,840/- cash and 198 grams of smack like substance were recovered. The recovered articles were seized and seizure list prepared.

4. Learned Counsel for the petitioner submits that contraband article has been recovered from the house of Lalan Jha, who is said to be the landlord of the petitioner but the fact of the matter is that the petitioner is not residing in the house of Lalan Jha as a tenant and there is no written agreement creating tenancy between the petitioner and the house owner Lalan Jha. Learned counsel further submits that though the contraband material has been recovered from the house of Lalan Jha but he has not been made accused.

5. Having heard learned counsel for the parties and upon perusal of First Information Report and seizure list, it appears that the petitioner is a tenant in a room owned by Lalan Jha and from the room, huge amount of cash along with smack weighing 198 grams have been recovered, which is more than small quantity i.e. 5 grams, as prescribed in N.D.P.S. Act, I am not inclined to grant the privilege of anticipatory bail to the petitioner.



6. Accordingly, the prayer of the petitioner for grant of anticipatory bail is rejected.

(Anil Kumar Sinha, J)

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