

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21986 of 2025

Arising Out of PS. Case No.-431 Year-2024 Thana- NARHATT District- Nawada

1. Tuntun Singh S/o- Late Darogi Singh @ Late Darangi Singh Resident of Village- Bhim Bigha PS- Narhut, Dist- Nawada
2. Upendra Singh @ Satendra Kumar @ Satendra Singh S/o- Late Darogi Singh @ Late Darangi Singh Resident of Village- Bhim Bigha PS- Narhut, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Ranjan, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-05-2025 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Narhut P.S. Case No. 431 of 2024, lodged on 19.12.2024, under Sections 8/20(B)(ii)(C) N.D.P.S. Act.

3. As per the prosecution, the recovery of 96.500 Kgs of Ganja plant has been recovered from the land in front of the petitioners’ house. The allegation that it is the petitioners who used to cultivate the said Ganja.



4. Learned Counsel for the petitioners submits that petitioners are innocent and land does not belong to the accused persons. He submits that there is gross violation of B.N.S.S. Act in the matter of recovery. Counsel submits that petitioner No.1 is not residing in the village; rather he is residing in Delhi, this aspect has not been considered at all.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that the allegation is specific in this case.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioners, hence, anticipatory bail application of petitioners is hereby rejected. However, since the plea has been made that petitioner No.1 is residing in Delhi, therefore, both the petitioners are directed to surrender before the Trial Court within four weeks from today and in case petitioner No.1 shall show the document by which it transpires to the Trial Court that he is residing at Delhi, then in that case the regular bail application of petitioner No.1 shall be considered without being prejudiced by the order of this Court.

(Dr. Anshuman, J)

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