

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86869 of 2024

Arising Out of PS. Case No.-489 Year-2024 Thana- BAKHTIYARPUR District- Patna

Bhikhari Rai S/o Late Mahendra Rai R/o Village- Mahmaddpur, Ranisarai, PS-
Bakhtiyarpur, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 20-01-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bakhtiyarpur Police Station Case No. 489 of 2024, dated 19.08.2024, disclosing offences under Sections 20, 22 of the Narcotic Drugs and Psychotropic Substance Act and later on by the order of the Special Judge, sections of the NDPS Act have been converted into Section 30(A) of the Bihar Prohibition and Excise Act, 2016 vide order dated 18.09.2024.
3. The prosecution case as per First Information Report is that on 18.08.2024, the police got secret information that the petitioner has stored huge quantity of psychotropic substance (cannabis), proceeded towards the place of



occurrence and upon seeing the police, the petitioner and one another person started fleeing away and succeeded in the same. One pick-up van was parked near the house. The house of the petitioner was searched from where 32 bags, in which 905 kg of cannabis was recovered. Further, upon search of the house of the petitioner, 196 bags, having total quantity of 4311 kgs of cannabis was recovered from the room of the petitioner. Altogether, 5216 kgs of cannabis was recovered from the house of the and the pick-up van by the police. One electronic weighing machine was also recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been implicated in this case in mechanical manner and he is not connected with the present case. Nothing has been recovered from the conscious possession of the petitioner and the alleged recovery has been made from the pick-up van which was standing on the road in front of the house of the petitioner. The petitioner is neither the owner nor is concerned with the pick-up van in any manner. The recovery of cannabis has been made from the joint house.



5. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that huge quantity of psychotropic substance (cannabis) has been recovered from the room of the petitioner as well as from the pick-up van standing in front of his house and the offence is serious in nature, having severe punishment, I am not inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, dismissed.

(Anil Kumar Sinha, J)

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