

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A.B.A. No. 6481 of 2021**

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Sunil Singh @ Sudhir Singh @ Anil Kumar Singh  
... Petitioner  
Versus  
The State of Jharkhand ... Opposite Party  
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**CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY**

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For the Petitioner : Mr. Altaf Hussain, Advocate  
For the State : Mr. Ravi Prakash, Spl. P.P.  
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**Order No.02 Dated- 09.09.2021**

Heard the parties through video conferencing.

Learned counsel for the petitioner personally undertakes to remove the defects as pointed out by the stamp reporter within two weeks after the lockdown period is over.

In view of the personal undertaking of the learned counsel for the petitioner, the defects pointed out by the stamp reporter are ignored for the present.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Barhi P.S. Case No.90 of 2021 registered under sections 414/34 of the Indian Penal Code and under Section 21 (iii)/22/29 of N.D.P.S. Act.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the police apprehended the co-accused with 70 kg of *ganja* and the petitioner fled away on seeing the police force. It is further submitted that the allegations against the petitioner are all false. Hence, it is submitted that the petitioner be given the privilege of anticipatory bail.

The learned Spl. P.P. on the other hand vehemently opposes the prayer for grant of anticipatory bail and submits that seized *ganja* comes under the commercial quantity hence, the rigors of Section 37 of the N.D.P.S. Act, 1985 is attracted in this case and there is no material in the record to suggest that the petitioner is not guilty of the allegations and that there is no chance of him

being not involved in any offence while on bail. It is further submitted that the custodial interrogation of the petitioner is required during the investigation of the case to find out the chain of supply of ganja. Hence, it is submitted that the petitioner ought not to be given the privilege of anticipatory bail.

Considering the serious nature of allegation against the petitioner and recovery of narcotic substance in commercial quantity and in the absence of any material to suggest that the petitioner is not guilty of the allegations or that there is no chance of him not committing any offence if given the privilege of bail as well as the requirement of the custodial interrogation during the investigation of the case, this Court is of the considered view that this is not a fit case where the above named petitioner be given the privilege of anticipatory bail. Accordingly, the prayer for grant of privilege of anticipatory bail of the above named petitioner is rejected.

**(Anil Kumar Choudhary, J.)**

Sonu/Gunjan-