

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No.2539 of 2021

Nanku Sao @ Sanjeet Kumar @ Nanku Petitioner
Versus
The State of JharkhandOpposite Party

CORAM : HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. A.K. Chaturvedy, Advocate
For the State : Mr. Ravi Prakash, Spl.P.P

Order No.02 Dated- 12.04.2021

Heard the parties through video conferencing.

Apprehending his arrest in connection with Kunda P.S. Case No. 06 of 2020 instituted under Sections 18, 20, 22 of Narcotic Drugs and Psychotropic Substances Act and Section 33 of Indian Forest Act, the petitioner has moved this Court for grant of privileges of anticipatory bail.

Learned counsel appearing for the petitioner submits that the allegation against the petitioner is that the petitioner along with the co-accused was cultivating opium over the land of 32 acres. It is submitted that the allegation against the petitioner is false. It is next submitted that the petitioner is not concerned with the alleged cultivation. It is lastly submitted that the petitioner is ready and willing to co-operate with the investigation of the case. Hence, it is submitted that the petitioner be given the privileges of anticipatory bail.

Learned Spl.P.P appearing for the State on the other hand vehemently opposes the prayer for anticipatory bail of the petitioner and submits that keeping in view of the cultivation of opium was over the land of 32 acres the same comes under commercial quantity hence, rigors of section 37 of the Narcotic Drugs and Psychotropic Substance Act,1985 is attributed in this case, hence, his custodial interrogation is required during the investigation of the case to find out the details of the occurrence. Hence, it is submitted that the petitioner ought not to be given the privilege of anticipatory bail.

Considering the serious nature of the allegation against the petitioner of cultivating opium over the land of 32 acres which comes under commercial quantity and the requirement of his custodial interrogation during the investigation of the case, this Court is of the considered view that

this is not a fit case where the petitioner be given privilege of anticipatory bail. Accordingly, the prayer for anticipatory bail of the above named petitioner is rejected.

(Anil Kumar Choudhary, J.)

Pappu/