

**IN THE HIGH COURT OF JHARKHAND AT RANCHI**  
**A.B.A. No. 2283 of 2021**

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Raju Ganjhu	...	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. Anurag Kashyap, Advocate
	: Mrs. Supriya Dayal, Advocate
For the State	: Mr. Ravi Prakash, Spl. P.P.

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**Order No.02 Dated- 12.04.2021**

Heard the parties through video conferencing.

Apprehending his arrest, the petitioner has moved this Court for grant of privilege of anticipatory bail in connection with Sadar P.S. Case No.100 of 2020 registered under sections 15 (c)/17 (c)/18 (b)/22(c)/29 of NDPS Act.

The Learned counsel for the petitioner submits that the allegation against the petitioner is that the petitioner along with co-accused persons were in the house of the co-accused-Vijay Yadav in connection with preparing opium by drying the same, police seized 67 kg of Doda, 22 kg of Poppy seeds and 23 kg and 100 grams of liquid opium which were in commercial quantity and on seeing the police party, the petitioner and the co-accused persons fled away while one of the co-accused-Vikas Yadav was apprehended by police who disclosed the name of the petitioner. It is further submitted that the allegations against the petitioner are all false and the petitioner was not present at the place of occurrence. 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 the petitioner fled away from the place of occurrence and also considering the fact that narcotic drugs seized comes under the commercial quantity, the rigors of Section 37 of the N.D.P.S. Act, 1985 is attracted in this case and in the absence of any material 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, he ought not to be given the privileges of anticipatory 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 huge quantity of narcotic drugs. Hence, it is submitted that the petitioner ought not 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 anticipatory 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-