

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17897 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -DULHIN BAZAR District- PATNA

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1. Nagendra Yadav, Son of Late Nandu Yadav,
2. Sanjay Yadav,
3. Bitthal Yadav, Both Sons of Late Chhapit Yadav, All resident of village -
Sarkuna, P.S. Dulhin Bazar, District - Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 20-07-2017 Learned counsel for the petitioners submits that petitioner nos. 2 and 3 have been arrested by the police, so he seeks permission to withdraw this application in respect to petitioner nos. 2 and 3.

Permission is accorded. Accordingly, this application is dismissed as withdrawn against petitioner nos. 2 and 3.

Heard learned counsel for the petitioner no. 1 and the learned A.P.P. for the State.

The petitioner no. 1 apprehends his arrest in connection with Special Case No. 18 of 2017, arising out of Dulhin Bazar P.S. Case No. 17 of 2017, registered under Sections 20 and 22 of the N.D.P.S. Act, pending in the court of Sessions



Judge-cum-Special Judge, N.D.P.S., Patna.

The accusation is that in course of raid in the joint courtyard of Sanjay Yadav and Bitthal Yadav, 10 green plants of Ganja in the share of Sanjay Yadav and 12 green plants of Ganja in the share of Bittal Yadav were found whereas in the courtyard of petitioner no. 1, Nagendra Yadav, four green plants of Ganja also recovered.

Learned counsel for the petitioners submits that petitioner no. 1 has falsely been implicated in this case mere on suspicion and he has no criminal antecedent.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner no. 1, I am not inclined to grant anticipatory bail to the petitioner no. 1. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner no. 1 is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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