

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25003 of 2020

Arising Out of PS. Case No.-8 Year-2020 Thana- SIRDALA District- Nawada

JAMUNA YADAV @ JAMUNA PRASAD @ YAMUNA YADAV Son of
Late lalit Yadav Resident of Village- Bahuyara, Police Station- Sirdala,
District- Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar, Advocate

For the Opposite Party/s : Mr. Pradeep Narayan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-10-2020 Heard Mr. Awadhesh Kumar, learned counsel for

the petitioner and Mr. Pradeep Narayan Kumar learned

Additional Public Prosecutor appearing for the State

through video conferencing.

Petitioner apprehends arrest in connection with

Special Case No. 03 of 2020 arising out of Sirdala P.S. Case

No. 08 of 2020 registered for the offences punishable under

Sections 20/22 of the NDPS Act.

The allegation against the petitioner as per the

First Information Report is that the Police on the basis of

secret information that *Ganja* plantation was being done,

proceeded towards the place of occurrence and found that



on the two plots *Ganja* Plants were standing. Upon enquiry, the Police came to know that out of two plots (fields), one belongs to the petitioner and from the plot of the petitioner 95 pieces of *Ganja* Plants were recovered having a total weight of about 61 Kg.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and from perusal of the First Information Report and the seizure list it is not clear as to what is the Plot number and Khata number of the land from where the *Ganja* Plant has been recovered. Learned counsel further submits that in absence of the Plot number and Khata number, it is improper to say that the Plot from where the alleged *Ganja* was recovered belongs to the petitioner.

Having heard learned counsel for the parties and taking into consideration the materials on record and the fact that there is specific allegation against the petitioner in the First Information Report that the Police recovered *Ganja* Plants having total weight of 61 Kg. from Plot of the petitioner and the Circle Officer was also present along with the raiding team, I am not inclined to grant anticipatory bail



to the petitioner.

Accordingly, the prayer for anticipatory bail of the
petitioner stands rejected.

(Anil Kumar Sinha, J)

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