

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33609 of 2021

Arising Out of PS. Case No.-767 Year-2020 Thana- BARACHATTI District- Gaya

1. AMIRAK YADAV Son of Muneshwar Yadav Resident of Village- Langura Khurd, P.S.- Mohanpur, District- Gaya.
2. Baleshwar Yadav Son of Indu Yadav Resident of Village- Langura Khurd, P.S.- Mohanpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashid Izhar, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioners are apprehending their arrest in connection with Barachatty (Mohanpur) P.S. case No.767 of 2020 registered under Sections 15/18/20 of the N.D.P.S. Act.

Prosecution case, in short, is that 25 ganja plants is recovered from the field of petitioner No.1 and 15 ganja plants is recovered from the field of petitioner No.2.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the



present case. It is alleged that 25 ganja plants are said to have been recovered from the open field allegedly belonging to the petitioner No.1 and 15 ganja plants is said to have been recovered from the open field allegedly belonging to the petitioner No.2. The petitioners had no knowledge regarding the said plants in their fields. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Gaya in connection with Barachatty (Mohanpur) P.S. case No.767 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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