

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52713 of 2021

Arising Out of PS. Case No.-21 Year-2021 Thana- PARBATTI District- Khagaria

Bipin Yadav Son Of Ojinder Yadav @ Chetru Yadav @ Chokru Yadav R/O
Village- Baisa, P.S.- Parbatta (MARIAYA), Dist.- Khagaria

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of eight weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 8, 20(b) (ii)(c), 25 and 29 of the
N.D.P.S. Act.

The prosecution allegation, in short, is that 71.2 kg
ganja is recovered.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner has been made accused due to mistake



of fact. 71.2 kg ganja is recovered from the maize field. As per prosecution, the said field in question belongs to the petitioner. Learned counsel for the petitioner submits that the field in question does not belong to the petitioner and the same can be verified from the land revenue records. The petitioner had no concern with the recovered ganja or the field in question. The name of the petitioner has transpired on the basis of disclosure made by the co-accused. Except for this, there is no other substantive evidence to suggest his implication in the present case. 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 petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Special Judge, N.D.P.S. Act, Khagaria in connection with Parbatta P.S. Case No. 21/2021, Special N.D.P.S. Case No. 01/2021, subject to the conditions as laid down under Section 438(2) of the Code



of Criminal Procedure.

(Sudhir Singh, J)

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