

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1477 of 2021

Arising Out of PS. Case No.-190 Year-2020 Thana- BARACHATTI District- Gaya

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Krishna Yadav Son Of Late Rama Yadav Resident Of Village - Khajurain, P.S.
- Barachatti, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 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 defect(s), as pointed out by the office, within a
period of eight weeks.

The petitioner is apprehending his arrest in connection
with Barachatty P.S. case No.190/2020 registered under
Sections 20/22 of the N.D.P.S. Act, pending in the court of
Special Judge, N.D.P.S. Act, Gaya.

Allegation is that 100 kgs Doda is recovered from the
field of the petitioner.

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 falsely been implicated in the present case. It is alleged that 100 kgs Doda in abandoned state is recovered from the field of the petitioner. The petitioner had no knowledge regarding the same.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. 100 kgs Doda (poppy straw) is said to have been recovered, which is above the commercial quantity. In the light of Section 37 of the N.D.P.S. Act, the petitioner is not entitled for grant of anticipatory bail.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

If the petitioner surrenders before the court below and prays for regular bail, same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

Narendra/-

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