

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58253 of 2021

Arising Out of PS. Case No.-375 Year-2020 Thana- FATUA District- Patna

=====

DAHARU GOPE @ DAHARU YADAV S/o Jagdev Yadav Resident of
Village - Govindpur, P.S. Fatuha, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rajesh Shankar Sinha, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, 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.

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 Special (NDPS) case No.72/2020 (Fatuha P.S. case
No.375/2020) registered under Sections 20(b)(II)(C), 22(c)) of the
N.D.P.S. Act.

Prosecution case, in short, is that 419.700 kgs 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 falsely been implicated in this case. 419.700 kgs ganja is said to
have been recovered from the mill belonging to the co-accused.



There is no recovery of ganja from the possession of the petitioner. The name of the petitioner has transpired in this case on the basis of secret information. The source and genuineness of secret information has not been disclosed by the prosecution. The petitioner had no knowledge regarding the alleged incident. 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 complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, 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 District and Sessions Judge, Patna in connection with Special (NDPS) case No.72/2020 (Fatuha P.S. case No.375/2020), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

