

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33020 of 2022

Arising Out of PS. Case No.-281 Year-2022 Thana- MADHEPURA District- Madhepura

BHUSHAN YADAV @ BHUSHAN KUMAR SON OF UMESH YADAV
RESIDENT OF VILLAGE- BHARRAHI TOLA, WARD No.03, P.S.-
MADHEPURA (BHARRAHI O.P.), DISTRICT- MADHEPURA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 33162 of 2022

Arising Out of PS. Case No.-281 Year-2022 Thana- MADHEPURA District- Madhepura

RAUSHAN YADAV @ RAUSHAN KUMAR SON OF UMESH YADAV
RESIDENT OF VILLAGE- BHARRAHI TOLA, WARD No.03, P.S.-
MADHEPURA (BHARRAHI O.P.), DISTRICT- MADHEPURA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 33020 of 2022)

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Pronoti Singh

(In CRIMINAL MISCELLANEOUS No. 33162 of 2022)

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-09-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Section 414 of the
Indian Penal Code, Section 30(a) of the Bihar Prohibition and
Excise Act as well as under Sections 21(b) and 22(b) of the



N.D.P.S. Act.

110 bottles each containing 100 ml. of Codeine containing cough syrup has been recovered from the maize field of Bhushan Yadav (petitioner of Cr. Misc. No.33020 of 2022).

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is further submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail applications. It is also submitted that nothing has been recovered from the conscious possession of the petitioners. It is submitted that the apprehended person disclosed the name of the petitioners. It is also submitted that the said maize field does not belong to Raushan Yadav @ Raushan Kumar (petitioner of Cr. Misc. No.33162 of 2022).

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners and submitted that the recovered Codeine containing cough syrup comes within the purview of NDPS Act.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioners is rejected in connection with Madhepura (Bharrahi) P.S. Case No.281 of



2022, pending in the court of learned Additional Sessions Judge-
II, Madhepura.

(Anjani Kumar Sharan, J.)

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