

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33919 of 2022

Arising Out of PS. Case No.-108 Year-2019 Thana- BARACHATTI District- Gaya

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KRISHNA YADAV S/o Kailu Yadav R/o village- Ghar Sakhwa, 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

For the Opposite Party/s : Mr. Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-09-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehend his arrest in a case registered for the offence punishable under sections 18, 15, 18(c), 25 of the NDPS Act.

Allegedly, the petitioner and other accused persons were engaged in illegal cultivation and trade of poppy crops. Police party destroyed poppy crops on 9 acres of land. In the same village at the bank of river Mohane, poppy crops were present on 3 acres of land which was also destroyed after seizing and sampling, these areas were remotely located and forest area as such it could not be detected as to who was the owner of the said



land.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to dirty village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. No incriminating articles has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. and his name transpired in this case during the course of investigation. The petitioner is not the owner of the said land. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case and considering the nature of offence, I am not inclined to grant bail to the petitioner. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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