

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35700 of 2022

Arising Out of PS. Case No.-587 Year-2019 Thana- BARACHATTI District- Gaya

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Bijay Yadav, (Male), aged about 27 years, Son of Late Dwarika Yadav
Resident of Village- Baijnathpur @ Baidhnathpur, P.S.- Barachatti
(Mohanpur), District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Birendra Kumar Singh, Advocate
For the State : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 25-01-2023

Heard Mr. Birendra Kumar Singh, learned counsel for
the petitioner and Mr. Ashok Kumar Singh, learned Additional
Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Barachatti (Mohanpur) P.S. Case No. 587 of 2019 dated
02.12.2019, instituted under Sections 8/15/17/18/20/25 of the
Narcotic Drugs and Psychotropic Substances Act, 1985.

3. This is the second attempt for bail by the petitioner, as
earlier such prayer was rejected by judgment and order dated
20.02.2021 passed in Cr. Misc. No. 31789 of 2020.

4. Learned counsel for the petitioner has reiterated the
earlier submission that the material was not recovered from his
conscious possession as it was forest land.



5. Learned APP submitted that the petitioner has been found to be the person who was using the land for storage of such powder which is narcotic substance and from the order of last rejection, there is no material change in circumstances.

6. Having considered the case and submissions of learned counsel for the parties and the fact that nothing has been shown with regard to change of circumstances, and that the recovery being from the poultry farm of the petitioner strongly indicating his involvement, the Court is not inclined to allow the prayer.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

Ranjeet/-Anjani

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