

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39071 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- GAMAHARIYA District- Madhepura

MUKESH YADAV @ MUKESH KUMAR Son of Umesh Yadav @ Umesh Kumar Yadav R/o village - Chikani Fulkaha, Ward No.- 03, P.S.- Gamharia, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-06-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 8(c), 21(c), 22(c), 24 and 25 of the Narcotic Drugs and Psychotropic Substances Act and Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of 215 liters of codeine syrup from the field of Ramchandra Yadav.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and even alleged



recovery is from the field of Ramchandra Yadav which does not belong to the petitioner and he came to be implicated merely because he is *bataidar* of Ramchandra Yadav.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six 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 to the satisfaction of the learned trial court where the case is pending/successor court in connection with Gamharia P.S. Case No. 31 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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