

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.312 of 2023

Arising Out of PS. Case No.-442 Year-2019 Thana- KUCHAIKOTE District- Gopalganj

RAM RATAN YADAV Son of Late Babunandan Yadav R/V- Rampur
Tengrahi, P.S- Kuchaikot, Dist- Gopalganj, Bihar- 841428

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Yadav

For the Opposite Party/s : Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Kuchaikot
P.S. Case No. 442/2019 registered for the offences punishable
under Section 22 and 22 of the Narcotic Drugs and Psychotropic
Substances Act pending in the Court of learned A.D.J.-I,
Gopalganj.

3. 178 kgs. of Ganja is said to have been recovered
from the newly constructed house of co-accused, Hasindra
Yadav. The allegation against the petitioner is that he managed
to escape from the place of occurrence along with other
accomplices.

4. It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. He has been



falsely implicated in this case on the confessional statement of the co-accused. The name of the petitioner transpired in the present case only because he happens to be the owner of the seized Heo HF Delux motorcycle. As a matter of fact, the said motorcycle was used solely by his son-in-law, Hasinder Yadav, who is a co-accused in the present case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.

5. Learned APP for the State vehemently opposing the bail petition submitted that considering the quantity of the seized contraband, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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