

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4621 of 2024

Arising Out of PS. Case No.-137 Year-2022 Thana- BARACHATTI District- Gaya

=====

Arun Yadav @ Arun Kumar Son of Shivnandan Yadav R/o vill - Khajurain,
P.S. - Barachatti, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP.

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-02-2024 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Barachatti P.S. Case No. 137 of 2022 dated 18.02.2022, registered for the offence punishable u/s 8(b), 18 and 29 of the Narcotic Drugs Psychotropic Substance Act, pending in the court of learned Sessions Judge, NDPS Act, Gaya.

3. As per the prosecution case, on 13.02.2022, the informant with the help of staffs of Narcotic Department and other police officials, destruction of opium (Afim) plants was done in area of forest land and on some Raiyati land which was cultivated over 3.84 acres of land and the informant came to know the petitioner and others have involved in the alleged cultivation of opium plants.

4. It is submitted by learned counsel for the petitioner



that the petitioner is quite innocent and has been falsely implicated in this case only on suspicion. The allegations levelled against the petitioner is general and omnibus in nature. He further submits that neither the Plot number nor the Khata number has been given in the FIR which shows that the said land belongs to the petitioner. Nothing incriminating articles have been recovered from the possession of the petitioner or from the land belongs to him. Similarly situated co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court. Petitioner has no criminal antecedent.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the petitioners are named in the FIR and they have been found involved in the alleged occurrence, the allegations levelled against the petitioner is serious in nature, it is not fit case to grant anticipatory bail.

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

(Anjani Kumar Sharan, J)

annpurna/-

U		T	
---	--	---	--

