

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35509 of 2024

Arising Out of PS. Case No.-37 Year-2024 Thana- MADANPUR District- Aurangabad

Yogendra Sao Son of Late Dhaneshwar Sao Resident of Village -
Chakarbandha Tola Tarchuan, P.S.- Chakarbandha, District - Gaya (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Madanpur P.S. Case No. 37 of 2024 instituted for the offences punishable under Sections 18 (b), 20(B) (ii)(C), 22, 29 and 8(B) of the N.D.P.S. Act.

3. As per prosecution case, on secret information received that several persons had kept doda opium and posta dana in their shops as well as at their residence. A raid was conducted by the police and there has been recovery of 5 Kg poppy straw from the shop of the co-accused Shakeel Ansari @ Pappu and on disclosure by him, 1117 Kg of posta dana was



recovered from his joint house property.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. The name of the petitioner transpired on the confessional statement of the co-accused Ajay Bhuiyan. Nothing has been recovered from the conscious possession of this petitioner. Charge-sheet has been submitted in this case. The petitioner has no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. Huge quantity of contraband is recovered and the petitioner is involved in sell and purchase of contraband. Hence the petitioner does not deserve privilege of anticipatory bail. The learned APP further submits co-accused have been granted regular bail by this Bench.

8. Considering the serious nature of allegation as also the imposition of bar under Section 37 of the N.D.P.S. Rules, I am not inclined to grant anticipatory bail to the petitioner. The prayer is rejected.

9. Petitioner is directed to surrender before the learned Court below and seek regular bail which shall be considered by the learned Court below without being prejudiced by this order



of rejection.

(Rudra Prakash Mishra, J)

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