

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61921 of 2023

Arising Out of PS. Case No.-189 Year-2022 Thana- BARACHATTI District- Gaya

Chotu Kumar Yadav @ Chhotu Kumar Yadav Son of Raj Kumar Yadav R/o
vill - Baijnathpur, P.s. - Mohanpur, 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. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 13-02-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with
NDPS Case No. 09 of 2022 arising out of Barachatty P.S
Case No. 189 of 2022 from the Court of learned S.J cum
Special Judge N.D.P.S Act, Gaya registered for the offences
punishable under Sections 18, 20 and 22 of the NDPS Act.

3. As per allegation in the FIR, total 6 Kg of
opium recovered from motor cycle as well as from
container vehicle which is more than the commercial
quantity.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case. He further submits on the date of occurrence, the petitioner has a quarrel with the police during vehicle checking. It is also submitted that petitioner is in judicial custody since 05.03.2022 and petitioner has got no criminal antecedent as stated in para 3 of the petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner and submitted that 6 Kg of opium was recovered from both the vehicle in question.

6. In view of the allegation as regard to recovery of 6 Kg opium from petitioner motorcycle and container vehicle and also the petitioner was arrested on the spot with contraband opium, this Court is not inclined to grant bail to the petitioner.

(Ramesh Chand Malviya, J)

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