

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70364 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- DHANGAI District- Gaya

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Jagdev Yadav @ Jagdeo Yadav Son of Tejan Yadav R/O Vill.- Itwa, P.S.-
Dhangai, Dist.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aryan Singh

For the Opposite Party/s : Mr. Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 02-12-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Dhangahi Police Station Case No. 15 of 2024, dated 21.02.2024, disclosing offences under Sections 8/15/18(c)/25 of the Narcotic Drugs and Psychotropic Substance Act.
3. The prosecution case, as per the First Information Report, is that on 31.01.2024, when the team constituted for the purpose of destroying the opium, reached the Kadal forest area, the team found cultivation of opium in various plots admeasuring 2.3 acres, which has been declared as protected forest as per the government notification. Upon



which the team kept some samples as material exhibits for the purpose of evidence and destroyed rest of the opium crop by JCB and tractor. It has further been alleged that the name of the petitioner has been disclosed by the local villagers upon enquiry made by the police.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to village politics and the name of the petitioner has transpired on the basis of disclosure made by local villagers. He next submits that there is inordinate delay of 21 days in lodging of First Information Report inasmuch as the occurrence took place 31.01.2024, however, the present First Information Report has been lodged on 21.02.2024. He further submits that the petitioner was not present at the place of occurrence.
5. Having regard to the submissions made on behalf of the parties and taking into consideration gravity of offence and the fact that name of the petitioner came to light after enquiry made by the police, for which, custodial interrogation of the petitioner may be necessary, I am not inclined to grant the petitioner privilege of anticipatory bail.



6. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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