

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73290 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- Basmatia District- Araria

Om Prakash Yadav S/o Kewal Yadav R/o Village- Bela, Ward No. 08, P.S.-
Basmatiya, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 21(b), 22, 23 of the N.D.P.S. Act, Section 25(1-b)a, 26 of the Arms Act and Section 30 (a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 2.5 litres of cough syrup and 300ml of Nepali country made liquor, one country made pistol and one live cartridge are said to have been recovered from the house of the petitioner. He submits that there is violation of Section 100(4) of the Cr.P.C. Petitioner has two criminal antecedents as mentioned in para-3 of this



application.

4. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Basmatiya P.S. Case No. 05 of 2024.

(Anjani Kumar Sharan, J)

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