

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19352 of 2025

Arising Out of PS. Case No.-329 Year-2024 Thana- BARAULI District- Gopalganj

Vijaymal Yadav Son of Sharda Yadav Resident of Village - Aalapur, P.S.-
Barauli, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam, Adv.

For the Opposite Party/s : Mrs.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who apprehends his arrest in connection with Barauli P.S. Case No.329 of 2024 lodged on 12.12.2024, for the offences punishable under Sections 8(c) and 21(c) of the NDPS Act.

3. As per the prosecution, the recovery of 13.99 gram of charus/smack has alleged to be made from co-accused, Bittu Das and 535.04 gram of smack like substance has been recovered from straw, which is the subject matter of the present case.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that petitioner was not present on the place of occurrence and the said recovery has not been made from conscious possession of the petitioner. Counsel further submits that criminal antecedent of the petitioner is clean and there is gross violation in recovery of the NDPS material.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that criminal antecedent of the petitioner is clean, but the said recovery is commercial in nature and on the basis of allegation, it transpires that the petitioner is a kingpin.

6. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

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