

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43888 of 2025

Arising Out of PS. Case No.-209 Year-2022 Thana- KURSAILA District- Katihar

Subodh Yadav @ Jairam Yadav @ Jai Jairam Yadav S/O Surendra Yadav R/o
Village Sonamani Gudam, Ward no. 6, P.S.- Sonamani, District- Araria

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-08-2025 Heard Mr. Anant Kumar Mishra, learned counsel
for the petitioner and Mr. Rajendra Nath Jha, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Kursela P.S. Case No. 209 of 2022 (N.D.P.S. Case No. 44 of 2022), FIR dated 25.10.2022 registered for the offences punishable under Sections 20 and 22 of the N.D.P.S. Act.

3. Recovery is of 42.300 kg. *ganja* from the vehicle.

4. Learned counsel for the petitioner submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the



F.I.R.. From a bare perusal of the F.I.R., it appears that altogether, 42.300 kg. *ganja* recovered from the vehicle in question and the name of the petitioner has been transpired on the basis of disclosure made by the apprehended co-accused persons.

5. Learned A.P.P. for the State, on other other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the recovered contraband is more than the commercial quantity so there is embargo under Section 37 of the NDPS Act to grant privilege of anticipatory bail to the petitioner, apart from that the petitioner has a case pertaining to N.D.P.S. matter.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Kursela P.S. Case No. 209 of 2022 (N.D.P.S. Case No. 44 of 2022) pending in the court of learned Sessions Judge, Katihar.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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