

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76500 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- BARACHATTI District- Gaya

Shankar Yadav S/O Prayag Yadav Resident of Village- Piprahi, P.S.
Barachatti, District- Gaya,

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Barachatti
P.S. Case No. 18 of 2024 registered for the offences punishable
under Sections 8, 18, 29 of N.D.P.S. Act.

3. As per the prosecution case, it is alleged that the
petitioner is involved in the cultivation of opium plants on large
scale over the forest land.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The allegation levelled against the petitioner is not
specific rather general and omnibus in nature. He submits that
no incriminating article has been recovered from the conscious
possession of the petitioner. He further submits that similarly



situated co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that specific overt act has been attributed against the petitioner.

6. Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seeks regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order, considering the fact that the petitioner has no criminal antecedent.

(Anjani Kumar Sharan, J)

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