

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84143 of 2024

Arising Out of PS. Case No.-161 Year-2022 Thana- BARACHATTI District- Gaya

Binod Yadav @ Vinod Yadav, Son of Tilak Yadav, R/o Village-Piprahi, P.S.-
Barachatti, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-02-2025 Heard Mr.Gajendra Kumar Singh, learned counsel
for the petitioner and Mr.Anil Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Barachatti PS Case No. 161 of 2022, FIR dated 25.02.2022, registered for the offences punishable under Sections 8(b), 18 and 29 of the NDPS Act.

3. According to the prosecution case, upon patrolling the field of forest in the village Piprahi, the forest guard saw some suspicious persons working where opium was planted and upon seeing the forest guard, they disappeared. It is further alleged that local people on condition that their names will not be disclosed, gave information about the people who were working in the field.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case merely on the basis of suspicion. Petitioner has no concern at all with the opium plants which was found in 25.6 acres of land of the Forest Department and name of the petitioner has been transpired during investigation on the basis of the disclosure made by the local villagers.

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 initially the petitioner has mentioned in the bail petition that he has clean antecedent but thereafter he has filed a supplementary affidavit in which it has been mentioned that the petitioner carries two more cases other than the present one and out of two cases, one case pertaining to NDPS matter and apart from that, a number of witnesses have supported the case of the prosecution and opium plants which was found in 25.6 acres of land of the Forest Department.

6. Considering the aforesaid fact as well as criminal antecedent of the petitioner of NDPS matter, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Barachatti PS Case No. 161 of 2022 pending in the court of learned Sessions Judge-cum-Special Judge, NDPS



Act, Gaya.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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