

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30982 of 2017

Arising Out of PS.Case No. -64 Year- 2015 Thana -BARACHATTI District- GAYA

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Swaroop Singh Bhokta, Son of Late Saman Singh Bhokta, resident of
Village- Kewalia, P.S.- Barachatti, District- Gaya. Petitioner.

Versus

The State of Bihar Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Nikhilesh Kumar

For the Opposite Party/s : Mr. Chaubey Jawahar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 07-07-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner seeks regular bail in connection with
Barachatty P.S. Case No.64 of 2015 registered for the alleged
offences under Sections 18, 20 and 22 of the N.D.P.S. Act.

As per the prosecution case, 2 kgs. of poppy fruit was
seized from the poppy plant, cultivated by the petitioner on the
forest land encroaching it.

It has been submitted by learned counsel for the
petitioner that the petitioner has neither encroached the forest land
nor has planted the poppy plant on it, rather the said land belongs
to the forest department. There is no recovery from the conscious
physical possession of the petitioner. He has been languishing in
jail custody since 13.01.2017.



Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail at present. However, the petitioner may renew his prayer for bail after framing of charge.

Accordingly, this application is rejected.

(Prakash Chandra Jaiswal, J.)

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