

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46952 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/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nikhilesh Kumar
For the Opposite Party/s : Mr. Uday Chand Prasad

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

2 04-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Barachatti P.S. Case no. 64 of 2015 registered for the offence
punishable under Sections 18, 20, 22 of the N.D.P.S. Act.

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

It is submitted by the learned counsel for the
petitioner that the petitioner has neither encroached the forest
land nor planted the poppy plant on it, rather the said land
belongs to the forest department and the petitioner has no concern
with the said land. There is no recovery from the conscious



physical possession of the petitioner. The petitioner has been languishing in custody since 13.01.2017. His earlier bail petition was rejected by this court with liberty to renew the same after framing the charge and now charge in the case has already been framed on 28.07.2017.

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Gaya in connection with Barachatti P.S. Case no. 64 of 2015.

(Prakash Chandra Jaiswal, J)

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