

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24042 of 2018

Arising Out of PS. Case No.-68 Year-2017 Thana- BARACHATTI District- Gaya

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1. Inderdeo Manjhi @ Indradev Bhuiyan, Son of Late Manager Manjhi, Resident of Village- Piprahi, P.S.- Barachatti, District- Gaya.
 2. Simpu Singh @ Simpu Singh Bhokta, Son of Bhado Singh, Resident of Village- Harnahi, P.S.- Barachatti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh
For the Opposite Party/s : Smt. Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Section 30(b) of the Bihar Prohibition and Excise Act, 2016 and Sections 18, 20 and 22 of the N.D.P.S. Act.

The prosecution case, in short, is that the petitioners were involved in unauthorised cultivation of opium seed.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. As per the allegation, the cultivation of opium seed was made on the government land without having any proper permission from the competent authority. It is alleged that the petitioners were also



involved in the cultivation of opium seed on the government land. Except for the accusation, there is no other substantive evidence to suggest the involvement of the petitioners in this case. No contraband substance is alleged to have been recovered from the conscious possession of the petitioners. The petitioners had no knowledge regarding the said incident.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum- Special Judge (N.D.P.S. Act), Gaya in connection with Barachatti P.S. Case No. 68/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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