

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33378 of 2018

Arising Out of PS. Case No.-97 Year-2014 Thana- BARACHATTI District- Gaya

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1. Raj Kumar Yadav, S/o Dashrath Yadav,
 2. Mahaveer Yadav S/o Late Jivlal Yadav @ Jugeshar Yadav, Both are R/o Vill.- Bumer, P.S.- Barachatti, District- Gaya.
 3. Lalo Yadav S/o Jalul Yadav, R/o Vill.- Ambatari (Bumer), P.S.- Barachatti, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Union of India.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh
For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-06-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Barachatti P.S. case no. 97/14 instituted for the offence under Section(s) 18 of the NDPS Act.

It is alleged that police got information that opium plants have been cultivated in the land of the petitioners and 8-10 other unknown persons. From the written report itself it appears that name of these petitioners have surfaced merely on suspicion. Police has not mentioned the description of land to substantiate that those lands belonged to these petitioners.

In the facts and circumstances of the case, prayer of the



petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Barachatti P.S. case no. 97/14, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Gaya, subject to the conditions as laid down under Section 438(2) Cr. P.C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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