

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18766 of 2018

Arising Out of PS.Case No. -72 Year- 2012 Thana -BARACHATTI District- GAYA

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1. Charitar Yadav @ Chalitar Yadav Son of Rohan Yadav resident of
Village- Jaigir, Police Station- Barachatti and District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 16.10.2017 in
connection with Barachatti P.S. Case No. 72 of 2012 for the
offence registered under Sections 18 of the Narcotic Drugs and
Psychotropic Substance Act.

Learned counsel for the petitioner submits that the only
allegation against the petitioner is that he had been found to be
cultivating the Afeem/Posta Dana in contravention of the
provisions of the NDPS Act. It is further submitted that it is stated
in the first information report that the entire crops which were
standing were destroyed by the police but in view of the fact that
the lands in question belongs to the petitioner, the petitioner has



been taken into custody. It is further submitted that the provisions of Section 18 of the NDPS Act clearly speaks that in case the small quantity is found cultivating, the maximum punishment shall be six months.

In view of the period of custody already undergone by the petitioner and after perusal of all facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge, Gaya in connection with Barachatti P.S. Case No. 72 of 2012.

(Anjana Mishra, J)

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