

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8079 of 2018

Arising Out of PS.Case No. -67 Year- 2017 Thana -BARACHATTI District- GAYA

1. Mahesh Yadav Son of Rohan Yadav, Resident of Village-Somiya, Police Station-Barachatti, District- gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Asharaf Ansari

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

02 15-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Barachatti P.S. Case No. 67 of 2017 registered under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Five named accused persons including the petitioner are said to have cultivated poppy crops on the government land which were destroyed by the police.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has neither any concern with the place of occurrence nor with the plant standing on the government land. No specific plot number has



been given in the F.I.R. and the identity and genuineness of the source of information about hailing of aforesaid plot to the petitioner has not been disclosed in the F.I.R. Though one case under NDPS Act has been falsely lodged against the petitioner but he is on bail in the said case. He has no criminal antecedent. He has been languishing in custody since 16.10.2017. .

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Gaya in connection with Barachatti P.S. Case No.67 of 2017.

(Prakash Chandra Jaiswal, J)

Trivedi/-

U		T	
---	--	---	--

