

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6151 of 2018

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

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1. Chhathu Yadav @ Chattu Yadav, son of Late Viran Yadav.
 2. Pairu Yadav, son of Late Gaya Yadav.
 3. Bhagirath Yadav, son of Virpan Yadav. All are Resident of Village- Somiya, Police Station- Barachatti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : SMT. ANITA KUMARI SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners seek bail in a case instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016 and Sections 18/20/22 of the N.D.P.S. Act.

Prosecution case, in short, is that the accused persons including the petitioners are said to have cultivated poppy plants on the government land, which were destroyed by the police.

It has been submitted on behalf of the petitioners that the petitioners No.1 and 2 are in custody since 16.10.2017 and petitioner No.3 is in custody since 01.11.2017 and have got no criminal antecedent. Charge sheet/prosecution report has been submitted in this case. There is no allegation of tampering of



witnesses alleged against the petitioners. As per accusation, poppy plants were cultivated on the government land. The petitioners are suspected to be the cultivators. Except for this, this is no other substantive evidence to suggest the implication of the petitioners in the present case. No contraband substance is alleged to have been recovered from the petitioners for making out an offence under the N.D.P.S. Act. Other co-accused has been granted bail vide Cr.Misc.No.8079 of 2018.

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, it is directed that the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Gaya in connection with Barachatti P.S. case No.67 of 2017.

(Sudhir Singh, J)

Narendra/-

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