

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53531 of 2019

Arising Out of PS. Case No.-656 Year-2018 Thana- BARACHATTI District- Gaya

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1. TETAR SINGH BHOKTA S/o Jiwa Shngh Bhokta R/o village- Kadal, P.S.- Barachatty, District- Gaya
 2. Degan Singh Bhokta S/o Bhuali Singh Bhokta R/o village- Kadal, P.S.- Barachatty, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-08-2019 Petitioners seek bail in anticipation of their arrest in connection with Barachatty P.S. Case No. 656 of 2018 registered for the offences punishable under Sections 15 and 18 of Narcotic Drugs and Psychotropic Substance Act.

FIR disclosed that a joint team under the officials of Narcotic Bureau, State Excise Department, Forest Department and other officials reached the forest area and found the petitioners cultivating opium.

Submission of learned counsel for the petitioners is that raid was conducted on 17.3.2018, however case has been lodged after seven months, which will appear from the written report lodged by one of the Members of the joint team and there



is no explanation for that, which clearly shows manipulation in the FIR.

Heard learned APP, who has opposed the prayer for anticipatory bail but could not stated as to why there is delay of seven months in lodging FIR while raid was conducted earlier.

In view of above facts and circumstances, let petitioners surrender by 6.9.2019 in the court below and on surrender they shall be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Sessions Judge-cum-Special Judge, N.D.P.S. Act, Gay, in connection with Barachatty P.S. Case No. 656 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned and further condition is that petitioners have to co-operate in the investigation and appear before I.O. as and when required.

(Vinod Kumar Sinha, J)

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