

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63754 of 2019

Arising Out of PS. Case No.-116 Year-2019 Thana- BARACHATTI District- Gaya

1. Banwari Yadav, Son of Late Girdhari Yadav
2. Sanjay Yadav, Son of Laljit Yadav
Both Resident of Village - Dhanawa,
3. Bishun Yadav, Son of Kishun Yadav
4. Birendra Yadav @ Birendra Kumar, Son of Bishun Yadav
Both Resident of Village - Bumer,
All P.S.- Barachatti, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 05-12-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in this case are seeking anticipatory
bail in connection with Barachatti P.S. Case No.116 of 2019
registered for the offences punishable under Sections 8/15/18(c)
25 of the NDPS Act.

Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in this
case due to village politics. Learned counsel submits that
nothing has been recovered from the possession of the
petitioners.



Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein the submission of learned counsel for the petitioners that the petitioners have been named in the FIR allegedly on a secret information but without verification of the ownership of the land on which the opium was being cultivated, not being controverted by learned APP for the State and it is his submission that in the nature of the allegations where it has not been verified how the petitioners may be made accused on totally vague allegations, let the petitioners in the event of their arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen 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.116 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or



indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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