

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64931 of 2019

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

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1. Arjun Yadav, Son of Nanku Yadav, Resident of Village - Tedwara, Nare, P.S.- Barachatti, Distt.- Gaya.
 2. Narayan Yadav, Son of Nanku Yadav, Resident of Village - Tedwara, Nare, P.S.- Barachatti, Distt.- Gaya.
 3. Dhaneshwar Yadav, Son of Nanku Yadav, Resident of Village - Tedwara, Nare, P.S.- Barachatti, Distt.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Union of India Through Officer Narcotics Control Bureau, Patna. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nikhilesh Kumar
For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-10-2019 This is an application for grant of anticipatory bail in connection with Barachatti P. S. Case No. 116 of 2019, disclosing offences under Sections 8, 5, 18/C, 25 of the N.D.P.S. Act.

As per F.I.R. petitioners were engaged in the plantation of the Opium crops.

Submission of the learned counsel for the petitioners is that F.I.R. itself shows that they have made accused only on the basis of suspicion. There is nothing on the record to show that plots in which the opium plants were found is of the petitioners. It has further been submitted that one of the accused



has been granted bail by a Co-ordinate Bench of this Court, vide order dated 09.09.2019 passed in Criminal Misc. No. 56459 of 2019.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners. However, this application is disposed of with a direction to the petitioners to surrender and pray for regular bail, the same shall be considered by the learned court below considering the fact that other accused having similar allegation has been granted bail, considering the same, he will pass an appropriate order on the same day.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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