

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65287 of 2019

Arising Out of PS. Case No.-71 Year-2019 Thana- BARACHATTI District- Gaya

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1. Pramod Yadav, Son of Karu Yadav Resident of Village-Fungunia, P.S.-Barachatti, District-Gaya.
 2. Horil Yadav Son of Reba Yadav Resident of Village-Fungunia, P.S.-Barachatti, District-Gaya.
 3. Kailash Singh Son of Lakshman Singh Resident of Village-Fungunia, P.S.-Barachatti, District-Gaya.
 4. Gulab Singh Son of Mahabir Singh Resident of Village-Fungunia, P.S.-Barachatti, District-Gaya.
 5. Prayag Singh Son of Late Bhawani Singh Resident of Village-Fungunia, P.S.-Barachatti, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nand Kishore Prasad Sinha, Adv.
For the State	:	Mr.Dr. Indihar Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

6 30-06-2020 Heard learned counsel appearing for the petitioners as well as learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners apprehend their arrest in connection with Barachatti P.S. Case No. 71 of 2019 registered for the offences under Sections 8/15/18 (C)/25 of the N.D.P.S. Act.

The petitioners are said to have cultivated opium on forest land.

Learned counsel of the petitioners submits that the petitioners are landless persons and as a matter of fact the lands on which the opium are said to have been cultivated do



not belong to petitioners.

A counter affidavit has been filed on behalf of the State and in the aforesaid counter affidavit it has been admitted that the lands on which the plants of opium were found belonged to Forest Department.

Considering the aforesaid facts and circumstances as well as submissions of the petitioner, this anticipatory bail petition is allowed and it is ordered that the petitioners in the event of their arrest/surrender within six weeks from the date of receipt of this order to the Court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Gaya in connection with Barachatti P.S. Case No. 71/2019 subject to conditions as laid down under Section 438 (2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

GAURAV S./-

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