

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79958 of 2019

Arising Out of PS. Case No.-76 Year-2019 Thana- BARACHATTI District- Gaya

1. MUNSHI YADAV Son of Late Bhawani Singh Resident of Village- Piprahi, P.S.- Barachatti, District- Gaya.
2. Dhaneshar Singh @ Dhaneshwar Singh Bhokta Son of Sewa Singh Resident of Village- Harnahi, P.S.- Barachatti, District- Gaya.
3. Neeru Singh @ Niru Singh Bhokta Son of Late Jawahir Singh Resident of Village- Harnahi, P.S.- Barachatti, District- Gaya.
4. Shambhu Yadav Son of Bihari Singh Resident of Village- Harnahi, P.S.- Barachatti, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2, Adv.
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 19-06-2020 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor.

On confidential informant with regard to plantation of opium over an area of 26 acres at village- Piprahi by the villagers the police party gone, located the same and after preserving sample destroyed the same. On confidential information they came to know the ownership of Bhulan Manjhi @ Bhula, Narain Yadav, Shankar Yadav, Sintu Kumar, Rambali Manjhi, Munshi Yadav, Dhanesar Singh, Niru Singh, Shambhu Yadav, Saroj Manjhi and others.

During course of consideration of prayer for anticipatory bail on behalf of one of the co-accused Shankar Yadav



under Criminal Miscellaneous No.74301 of 2019 case diary was called for, wherefrom the Bench found complete perfunctory investigation as neither the survey plot no. nor ownership was found properly established. Source through which the names of the accused persons have been exposed also found blurred.

Consequent thereupon, the petitioners, namely, Munshi Yadav, Dhaneshar Singh @ Dhaneshwar Singh Bhokta, Neeru Singh @ Niru Singh Bhokta and Shambhu Yadav in the event of their arrest or surrender within four weeks from today, are directed to 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 the learned Sessions Judge cum Special Judge (NDPS Act), Gaya in connection with Barachatti P.S. Case No.76 of 2019 in terms of the conditions so laid down under Section 438(2) of the Code of Criminal Procedure.

(Aditya Kumar Trivedi, J)

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