

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5494 of 2020

Arising Out of PS. Case No.-108 Year-2019 Thana- BARACHATTI District- Gaya

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1. Munsii Prajapat Son of Tilak Prajapat Resident of Village- Badki Chapi, P.S.- Barachatti, Distt- Gaya.
 2. Mahesh Bhuiyan @ Mahesh Manjhi S/o Dukhi Manjhi @ Dukhi Bhuiyan Resident of Village- Badki Chapi, P.S.- Bara Chatti, Distt- Gaya.
 3. Budhan Singh S/o Jagadev Singh Resident of Village- Sakhawa, P.S.- Barachatti, Distt- Gaya.
 4. Umesh Yadav @ Umesh Kumar Yadav Son of Tula Yadav @ Ram Kishun Yadav Resident of Village-Sohra, P.S.- Daihar, Distt- Hazaribagh, Jharkhand
 5. Dashrath Singh @ Dashrath Singh Bhokta S/o Dhaneshwar Singh @ Dhaneshwar Singh Bhokta @ Mitun Singh Resident of Village- Sakhawa, P.S.- Barachatti, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 30-06-2020 Heard learned counsel for the petitioners and the

counsel appearing on behalf of the State.

Petitioners are apprehending arrest in connection with Barachatti P.S. Case No. 108 of 2019 for the offence under sections 8/15/18(C) /25 of NDPS Act.

Learned counsel for the petitioners submits that petitioners have no criminal antecedent.

As per prosecution case, some miscreants were cultivating poppy crops illegally near village Badki Chapi, Chhotki Chapi etc. in Gaya.

In course of the investigation, it transpires that a report was called for as to the owner of the land where poppy



crops were cultivated. It also transpires from the material available on record that the petitioners were not owner of the land and are not in any manner connected with the alleged occurrence where cultivation of poppy crops was done.

Considering the fact that the petitioners were not found cultivating or there is no material to suggest that the petitioners were actually cultivating the poppy crops over the land, the Court is inclined to grant anticipatory bail to the petitioners, let the petitioners, named above, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty five 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. 108 of 2019 subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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