

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3627 of 2020

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

BIJALI BHUIYAN @ BIJALI BHUEEYA, S/o Madho Bhueeya, R/o village -
Badki Chapi, P.S. - Barachatti, District - Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 17-09-2020 The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 8, 15, 18(C)/25 of the NDPS Act.

The police seized opium crop from the fields. Identity of the fields is not disclosed in the FIR. The spy reported that the cultivation was done by the petitioner and other FIR named accused persons.

Submission is that five of the named accused were allowed anticipatory bail by a Coordinate Bench of this Court vide order dated 30.06.2020 passed in Cr. Misc. No. 5494 of 2020 considering the fact that there was no material to suggest



that the named accused were actually cultivating the poppy crops over the said land.

Finding substance in the submission aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Barachatti Police Station Case No. 108 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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