

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38360 of 2021**

Arising Out of PS. Case No.-36 Year-2017 Thana- AMAS District- Gaya

Ram Jatan Singh Bhokta S/o Nanku Singh Resident of Village – Sukaradih
P.S. - Buniyadganj, District - Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4. 21-10-2021 Heard learned counsel for the parties.

The petitioner seeks bail in N.D.P.S. Case No. 13 of 2017, arising out of Amas P.S. Case No. 36 of 2017, registered for the offence under Sections 18, 20, 22 of the N.D.P.S. Act.

The F.I.R. is against unknown for cultivating the opium crops over the lands of village.

It is submitted on behalf of petitioner that name of the petitioner has come during course of investigation. It is further submitted that nothing has been recovered either from physical possession or from the field of petitioner and the alleged opium cultivation was going on in a field, which was situated near the field of petitioner and petitioner has been made accused in this case only on suspicion. Petitioner is in custody since 07.03.2021. Investigation is complete.



Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S. Act, Gaya in connection with N.D.P.S. Case No. 13 of 2017, arising out of Amas P.S. Case No. 36 of 2017, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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