

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40015 of 2020

**Arising out of P.S. Case No. 108, year- 2019, Thana- Barachatti District
Gaya.**

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Shankar Thakur, Male, aged about 57 years, S/O Prabhu Thakur, R/O village-
Sankhwa Tola, P.S. Barachatti, District Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opp. Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Adv.

For the Opp. Party/s : Ms. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 03-06-2021

The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the parties.

The petitioner apprehends his arrest in connection with Barachatti P.S. Case No. 108 of 2019 for the offence punishable under sections 8, 15, 18(c)/ 25 of the NDPS Act.

The police is stated to have discovered that some unknown persons were engaged in cultivating opium crops in the field. The identity of the field in question has not been disclosed in th



The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner is a landless person hence, there is no question of the land in question belonging to the petitioner. It is further submitted that the co-accused persons have already been granted the privilege of anticipatory bail by co-ordinate Benches of this Court vide orders dated 17.09.2020 and 30.06.2020, passed in Cr. Misc. No. 3627 of 2020 and Cr. Misc. No. 5494 of 2020 respectively.

Per contra, the learned APP appearing for the State, Ms. Anita Kumari Singh has vehemently opposed the prayer of the petitioner for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the Ld. Counsel for the parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons who have already been granted the privilege of anticipatory bail by co-ordinate Benches of this Court, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail



the event of arrest or surrender

before the learned court below within a period of eight weeks from today, the petitioner, above-named, shall be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- 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 conditions as laid down under section 438(2) of the Cr. P.C.

(Mohit Kumar Shah, J)

Tiwary/-

