

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40875 of 2022

Arising Out of PS. Case No.-46 Year-2022 Thana- BARACHATTI District- Gaya

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VIJAY YADAV @ VIJAY KUMAR YADAV Son of Visheshwar Yadav
Resident of Village - Chhotki chapi, P.s.- Barachatti, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Dr. Indihar Kumari

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 03-11-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one month.

Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Barachatti P.S. Case No. 46 of 2022, registered for
the offences punishable under Sections 8 (b)/18, 29 of the NDPS Act,
1985.

Learned counsel for the petitioner has submitted that
there is allegation against the petitioner that he along with other
accused persons cultivated poppy crop on the land belonging to
Forest Department. He has submitted further that the petitioner has
falsely been implicated and the land where the poppy crop was
cultivated was not belonging to the present petitioner rather it was



government's land and the petitioner is under custody since 19.05.2022 and he is a person of clean antecedent.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge (NDPS Act), Gaya in connection with Barachatti P.S. Case No. 46 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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