

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17034 of 2023

Arising Out of PS. Case No.-10 Year-2022 Thana- BHADHWAR District- Gaya

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WAKIL MIYAN Son of Sukhari Miyan Resident of Village - Navigarh, P.O.-
Pipra, P.S.- Dumaria, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 8b, 18, 29
of the Narcotic Drugs and Psychotropic Substance Act.

As per FIR, the petitioner was apprehended near the
cultivated field of opium plant. It is further alleged that
petitioner was also involved in the illicit cultivation of opium
plant.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner was wondering near the cultivation of opium plant
and merely on the basis of suspicion he has falsely been



implicated in this case. The petitioner has no concern with the alleged cultivation of opium plant nor from the place of occurrence. He has got no criminal antecedent. It is further submitted that nothing incriminating article has been recovered from his conscious possession. Moreover, the petitioner is languishing in judicial custody since 07.12.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhadwar P.S. Case No. 10 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Gaya.

(Sunil Kumar Panwar, J)

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