

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13620 of 2023

Arising Out of PS. Case No.-25 Year-2021 Thana- ROSHANGANJ District- Gaya

1. Sanjay Singh Bhokta @ Sanjay Singh Bhogta S/O Ramchandra Singh Bhokta R/O Village- Ambakhar, P.S.- Roushanganj, Distt- Gaya.
2. Naresh Singh Bhokta @ Naresh Singh Bhokta S/O Late Narayan Singh Bhokta R/O Village- Ambakhar, P.S.- Roushanganj, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Murad Ashraf

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Roushanganj P.S. Case No. 25 of 2021 registered under sections 8, 15 and 20 of the NDPS Act.

Prosecution case relates to illegal cultivation of opium plants in one acre of land beside the hill of village-Ambakhari.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case merely on suspicion. It is further submitted that the land over which, opium was allegedly cultivated does not belong to the petitioners. Neither



the petitioners were arrested on spot nor anything incriminating has been recovered from their conscious possession. It is also submitted that not a single witness has supported the prosecution case and also there is no independent witness of the seizure list. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, they are languishing in judicial custody since 12.12.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Roushanganj P.S. Case No. 25 of 2021 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge cum Spl Judge NDPS Act, Gaya.

(Sunil Kumar Panwar, J)

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