

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12110 of 2023

Arising Out of PS. Case No.-137 Year-2022 Thana- BARACHATTI District- Gaya

PRAMOD YADAV S/O KUSHAL YADAV R/v- Nimiatand, P.S.- Barachatti,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 13722 of 2023

Arising Out of PS. Case No.-137 Year-2022 Thana- BARACHATTI District- Gaya

MITHLESH YADAV Son of Nageshar Yadav Resident of Village- Gohi, P.S.-
Barachatti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 12110 of 2023)

For the Petitioner : Mr. Manish Kumar No2, Advocate

For the State : Mr. Amitesh Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 13722 of 2023)

For the Petitioner : Mr. Sanjay Kumar Sharma, Advocate

For the State : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-04-2023 As both these bail petitions arise out of the same

police station case number, hence, they are being heard together

and disposed of by this common order.

Heard learned counsel for the petitioners and learned

APP for the State.

The petitioners apprehend their arrest in connection



with Barachatti P.S. Case No.137 of 2022, registered for the offences punishable under Sections 8(b)/18/29 of the NDPS Act.

Allegation against the petitioners and other co-accused persons is that they were found involved in cultivating the opium plants on large scale.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petitions. It is further submitted that the said land does not belong to the petitioners. Only on suspicion, the petitioners have been made accused in the present case. It is also submits that there is no compliance of Section 100 Cr.P.C.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners by submitting that petitioners are involved in cultivation of opium plants on large scale.

Taking into consideration the nature of offence, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioners is hereby rejected.

However, if petitioners surrender before the learned



court below within a period of six weeks from today and pray for regular bail, the learned court below shall consider the prayer for regular bail of the petitioners preferably on the same day without being prejudiced by this order of rejection considering the fact that petitioners have been made accused in the present case only on suspicion.

(Anjani Kumar Sharan, J)

S.KUMAR/-

U		T	
---	--	---	--

