

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13034 of 2023

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

Tikam Singh S/O Late Dyali Singh R/O Village- Gohi, P.S.- Barachatti, Distt-
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Barachatti P.S. Case No. 137 of 2022 registered under sections 8(b)/18/29 of the NDPS Act.

It is a case of plantation of opium plant in 3.48 acres of land, which was destroyed. After inquiry, name of the eleven persons including this petitioner surfaced in the illicit cultivation of opium plant.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has 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 petitioner. He has no concern with this alleged offence. It is also submitted that a statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 05.12.2022. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 07.04.2023 in Cr. Misc. No. 5274 of 2023.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Barachatti P.S. Case No. 137 of 2022 on 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-Special Judge (N.D.P.S Act.), Gaya.

(Sunil Kumar Panwar, J)

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