

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19008 of 2023

Arising Out of PS. Case No.-7 Year-2018 Thana- District- Gaya

Pravesh Singh Bhokta Son Of Late Suryadeo Singh Bhokta Resident Of
Village - Murainiya, P.S. - Bankeybazar, Distt. - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India Through Narcotics Commissioner, New Delhi Delhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 13-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
31.08.2022 in connection with N.D.P.S. Case No.04 of 2018
arising out of Roshanganj (Bankey Bazar) P.S. Case No. 07 of
2018, F.I.R. dated 31.01.2018 for the offences punishable under
Sections 15 and 18 of N.D.P.S. Act.

3. Allegation against the petitioner is that He further
submits that was indulged in illegal cultivation of opium.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that nothing
has been recovered from the conscious possession or the house



of the petitioner rather the recovery has been made from the land in question which does not belong to the petitioner. The petitioner is in judicial custody since 31.08.2022.

5. Pursuant to the order dated 18.05.2023 the learned counsel for the State has filed the counter affidavit clearly stated that the land in question belongs to the forest department but in his report it is also stated that the petitioner has constructed the house on the said land in question and it has also come in the report that the petitioner has growing the Afim on the land in question and apart from that the F.S.L. report also confirmed that the opium was found.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-V, Gaya in connection with N.D.P.S. Case No.04 of 2018 arising out of Roshanganj (Bankey Bazar) P.S. Case No. 07 of 2018, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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