

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25758 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- SUHAIL District- Gaya

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1. Kamlesh Bharti Son Of Late Kedar Bharti Resident Of Village - Biraj Tola, Jari Aahar, P.S. - Sohail, Distt. - Gaya
 2. Jugesh Bharti @ Yugesh Bharti Son Of Rameshwar Bharti Resident Of Village - Biraj Tola, Jari Aahar, P.S. - Sohail, 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.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 08-11-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2.The petitioners have prayed for grant of bail in connection with Sohail P.S. Case No. 02 of 2023 registered under sections 8(b), 18 and 29 of the NDPS Act.

3. Allegation against the petitioners is that they cultivated illegal farming of opium plants over forest land as well as public land.

4. Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. They were not apprehended on spot. The land in question does not belong to



the petitioners. FSL report has not corroborated with the prosecution version as morphine along with other alkaloids of opium could not be detected in FSL Report. The petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 19.01.2023.

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

6. 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 Sohail P.S. Case No. 02 of 2023 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-Special Judge(NDPS Act), Gaya.

(Sunil Kumar Panwar, J)

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