

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25511 of 2023

Arising Out of PS. Case No.-209 Year-2022 Thana- BARACHATTI District- Gaya

JAGESHWAR MANJHI @ JAGESHAR MANJHI Son of Karu Manjhi
Resident of Village - Piprahi, P.S.- Barachatti, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Veer, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned A.P.P
for the State.

2. The petitioner seeks bail in connection with Barachatti
P.S. Case No. 209 of 2022 dated 09.03.2022 registered for the
offence punishable under Sections 8(b), 18 and 29 of the
N.D.P.S. Act.

3. This is a case pertinent to illegal cultivation of opium
plant on forest land and non-forest land. It is further alleged that
some persons were found visiting near the place of cultivation
but on seeing the police party, they fled away. The accused
persons including the petitioner are alleged to have been
engaged in cultivation of opium.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. It is submitted that only on the basis of suspicion, the



petitioner has been arrested and has been made accused in this case. Neither the petitioner cultivated opium plants over the forest land and non-forest land nor has been arrested on the spot of the opium land rather the entire stories against the accused person was manufactured. It is also submitted that the petitioner is not the owner of the said opium land. Lastly, it has been submitted that the petitioner is in custody since 30.01.2023, having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (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 in connection with Barachatti P.S. Case No. 209 of 2022.

(Khatim Reza, J)

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