

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 26008 of 2023**

Arising Out of PS. Case No.-41 Year-2022 Thana- BHADHWAR District- Gaya

RAJU KUMAR Son of Ganauri Yadav Resident of village - Navigardh, P.S. -
Bhadwar, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms Manisha Prakash, Advocate

For the Opposite Party/s : Mr Anil Kumar Singh No 1, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 **23-05-2023** Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Bhadwar Police Station (for brevity, **PS**) Case No 41 of 2022 dated 29.12.2022 registered for the offence punishable under Sections 8 (B), 18, 29 of the Narcotic Drugs and Psychotropic Substances Act.

As per prosecution case, the petitioner and the co-accused persons were seen walking near the field of opium



which was planted in 34 acres of land illegally and out of which 32.5 acres of land belonged to the Forest Department.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner and the other co-accused persons. The petitioner has no criminal antecedent, as stated in paragraph 3 of the bail petition. He is in custody in this case since 10.01.2023.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the period of custody as well as the allegation being general and omnibus against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge -cum- Special Judge, NDPS Act, Gaya in Bhadwar PS Case No 41 of 2022, subject to the following conditions:

(1) One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.

(2) The petitioner is directed to remain physically present before the learned Court below on each and every



date, failing which on two consecutive dates without reasonable cause, his bail is liable to be cancelled.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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