

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33574 of 2023

Arising Out of PS. Case No.-160 Year-2023 Thana- BARACHATTI District- Gaya

1. VIJAY SINGH S/O BIRJU SINGH R/O Village-Manvajhor, P.S.-Barachatti, District-Gaya
2. MURARI SINGH S/O DENA SINGH @ DINA SINGH R/O Village-Manvajhor, P.S.-Barachatti, District-Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate Mr. Sudhir Kumar Sinha, Advocate Ms. Diksha Kumari, Advocate
For the Opposite Party/s	:	Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 8(B), 18/29 of the Narcotic Drugs and Psychotropic Substances Act (in short 'NDPS Act').

3. As per the prosecution story, the informant received information that near the village Nabigadh, opium plant is being cultivated in the land area of 32.5 acre. On this information, the informant along with other police officials went there and saw the accused persons including these petitioners roaming around the said field.



4. It is submitted that the only allegation against the petitioners is that they were roaming around the field where the cultivation of *Afim* was being done. Petitioners deny the allegation and submits that the land over which opium was being cultivated does not belong to them and they have been made accused only on suspicion.

5. Considering the facts and circumstances of the case and nature of accusation, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sessions Judge-cum-Special Judge (N.D.P.S. Act), Gaya in connection with Barachatty P. S. Case No. 160 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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