

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37044 of 2023

Arising Out of PS. Case No.-112 Year-2016 Thana- BARACHATTI District- Gaya

Ram Deo Mandal @ Ramdeo Manjhi S/O Late Chhathu Mandal @ Bandhu
Mandal R/O Village- Nadarpur, P.S- Barachatti, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 15 and 18 of the N.D.P.S. Act.

According to F.I.R., on non-agricultural land of the government someone had planted opium plants. The same was destroyed by the authority on 06.04.2016. Thereafter, the authority came to know that the same was planted by the petitioner and other named accused persons. Accordingly, F.I.R. was lodged.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. The F.I.R. has been lodged after the inordinate delay of one month. Petitioner



has no concern with the alleged land and planted Opium. Nothing has been recovered from his conscious possession. Similarly situated co-accused namely, Shyamdeo Mandal and Manger Yadav have already been enlarged on bail by another coordinate Bench of this Court vide order dated 10.01.2017 and 30.01.2017 passed in Cr. Misc. No. 51781 of 2016 and Cr. Misc. No. 50935 of 2016 respectively. It is further submitted that the petitioner has got not criminal antecedent and languishing in judicial custody since 13.03.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barachhati P.S. Case No. 112 of 2016 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, N.D.P.S. Act, Gaya.

(Sunil Kumar Panwar, J)

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