

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36644 of 2022**

Arising Out of PS. Case No.-125 Year-2022 Thana- JAGDISHPUR District- Bhojpur

AMIT KUMAR @ PRINCE KUMAR Son of Binod Kumar Singh @ Vinod Singh Resident of Village - Bimwa Ke Mathia, P.S.- Jagdishpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 14-02-2023 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 section 18(C), 25, 29 of the N.D.P.S. Act.

Prosecution case relates to illegal farming of Opium Poppy and 40 pieces of Opium Poppy was recovered from the filed situated behind the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this this present case. From perusal of the FIR, it is evident that poppy plant was present in the filed but opium was not extracted from any flower and this fact has



been mentioned in para 9 of the petition. It is further submitted that the land in question from where the recovery has been made, belongs to joint family possessions and partition has not been done yet. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 13.3.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with N.D.P.S. (SL) Case No. 18 of 2022 arising out of Jagdishpur P.S. Case No. 125 of 2022 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, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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