

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41064 of 2022

Arising Out of PS. Case No.-66 Year-2022 Thana- BARACHATTI District- Gaya

1. Naresh Singh Bhokta @ Naresh Bhokta Son Of Dhanu Singh Resident Of Village - Manfar Bighi Tola, P.S.- Barachatti, District - Gaya.
2. Sobran Singh Bhokta @ Sobran Singh Son Of Chova Singh Resident Of Village - Manfar Bighi Tola, P.S.- Barachatti, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Jubair Ansari

For the Opposite Party/s : Ms.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 16-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have filed the instant application for grant of regular bail in connection with Barachatti P.S. Case No. 66 of 2022 registered under sections 8 (b), 18 and 29 of the N.D.P.S. Act.

Prosecution case in short is that as per direction of superior officer, the forest officials along with other police force as well as Narcotics Department visited village- Bigghi near Tola-Manfar and found illegal cultivation of opium (afeem) plants over the forest land measuring 7.60 acres and private land measuring 3.46 acres. The opium plants were destroyed and



they came to know that the accused persons including the petitioner were engaged in the cultivation of opium (afeem).

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case merely on suspicion. The petitioners are no way connected with the alleged cultivation of opium plants. He further submitted that the land over which, opium was allegedly cultivated does not belong to the petitioners. It is mentioned in para-3 of this petition that both petitioners belong to schedule tribe caste and they are landless. Both petitioners have no any other piece of land except to their Indira Awas. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. They are languishing in judicial custody since 09.06.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Barachatti P.S. Case No. 66 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each



of them with two sureties of the like amount each to the satisfaction of the learned Sessions Judge cum Special NDPS Act, Gaya.

(Sunil Kumar Panwar, J)

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