

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41033 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- BHADHWAR District- Gaya

1. Nankeshwar Yadav @ Nandkeshwar Yadav @ Nandkeshwar Yadav Son of Prayag Yadav Village- Navigarh Ps- Bhadwar Dist- Gaya
2. Sahendra Yadav son of Vishwanath Yadav Village- Navigarh PS- Bhadwar Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Narayan Jamuar
For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-08-2023 Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 8(b)/18/29 of the N.D.P.S. Act.

3. As per FIR, on 22.02.2023, as per direction of superior officer, the informant alongwith other forest officials went Navigarh and found illegal cultivation of opium (*Afim*) plants over the forest land. Petitioners are alleged to be engaged in illegal cultivation of opium.

4. It is submitted on behalf of petitioners that only on suspicion, petitioners have been made accused in this case. Petitioners have got no concern with the illegal cultivation of opium plants and the land, over which the plants were allegedly cultivated, does not belong to these petitioners. Petitioners claim



clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Spl. Judge, N.D.P.S. Act, Gaya in connection with Bhadwar P.S. Case No. 9 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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