

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48935 of 2022

Arising Out of PS. Case No.-152 Year-2022 Thana- BARACHATTI District- Gaya

Gyani Singh Bhokta, Son of Late Ganauri Singh @ Gandouri Singh @
Anchchh Singh Resident of Village - Harnahi, P.O.- Bhalua, P.s.- Barachatti,
Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection
with Barachatti P.S. Case No.152 of 2022 instituted under
Section 8(b), 18, 29 of the N.D.P.S. Act.

As per the prosecution story, the informant as per the
direction of the superior officer undertook joint proceeding and
in the area of 27.68 acres, opium was destroyed. Of the said
27.68 acres, 15 acres was forest land, 4.88 acres was Bihar
Government land and and 7.80 acres was private land and later
it was found that some persons were moving in suspicious
condition and upon enquiry, the villagers gave the name of the
present accused persons. Accordingly, the FIR was lodged.

Considering the fact that the accusation is of illegal



cultivation of opium plants as also the fact that the petitioner has criminal antecedent, this Court is not inclined to grant him relief, which is accordingly rejected.

In case the petitioner surrenders before the learned lower court within four weeks from today, the court shall take into account all the materials on record which the petitioner may put forward to consider his bail application and the same may be disposed of at an earliest without being prejudiced any observation made by this Court.

(Rajiv Roy, J)

Prakash Narayan /-

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