

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52589 of 2022

Arising Out of PS. Case No.-212 Year-2022 Thana- BARACHATTI District- Gaya

Vijay Yadav S/O Bisheshwar Yadav R/O Village- Chhotki, Chapi, P.S.-
Barachatti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Barachatti P.S. Case No. 212 of 2022 registered under Sections 8(b), 18 and 29 of the N.D.P.S. Act.

It is a case of illegal cultivation of opium (Afeem) plants on forest land as well as private land.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case due to ulterior motive and on the basis of suspicion. The name of the petitioner transpires in this case by some villagers who have inimical term with the petitioner. It is further submitted that the land on which



opium (Afeem) plant was allegedly cultivated does not belong to the petitioner rather the land belongs to forest. There is no direct evidence against the petitioner that he cultivated the opium (Afeem) plant on forest land. The petitioner is languishing in judicial custody since 12.07.2022.

The application for bail is vehemently 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 petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Barachatti P.S. Case No. 212 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge (N.D.P.S. Act), Gaya.

(Sunil Kumar Panwar, J)

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