

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55858 of 2023

Arising Out of PS. Case No.-657 Year-2018 Thana- BARACHATTI District- Gaya

1. VIJAY SINGH @ BIJAY SINGH Son of Chandar Singh Resident of Village-Dowat, P.S.-Barachatti, District-Gaya
2. MAHESH YADAV Son of Naresh Yadav Resident of Village-Dowat, P.S.-Barachatti, District-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. Rajesh Kumar , Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-08-2023 At the outset, learned counsel for the petitioner No. 2 seeks permission to withdraw the pre-arrest bail petition.

This bail petition of petitioner No. 2 is dismissed as withdrawn.

Heard learned counsel for the petitioner No. 1 and the State.

2. Petitioner No. 1 apprehends arrest in a case registered for the offence punishable under sections 8 , 21 , 15 and 18 of the NDPS Act.

3. Allegation against this petitioner is that he was growing opium crops on the forest land.

4. It is submitted that petitioner No. 1 has been made



accused in this case only on the basis of suspicion . The land on which the alleged cultivation of opium crops was found does not belong to this petitioner. In the F.I.R, there is no description of land upon which cultivation of opium was found.

5. However, learned counsel for the State oppose the bail petition and submits that specific allegation of cultivating opium plants is against this petitioner. It is further stated that this petitioner has got one criminal antecedent of similar nature .

6. Considering the criminal antecedent and gravity of allegation, prayer for pre-arrest bail of the petitioner No. 1 is rejected.

(Prabhat Kumar Singh, J)

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