

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55601 of 2023

Arising Out of PS. Case No.-73 Year-2022 Thana- BARACHATTI District- Gaya

Ramadahin Singh @RAMDHIN Singh @ Ramdahin Singh Son Of Late
Jagdish Singh Resident Of Village- Bumer, Ps- Barachatti, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha, Advocate

For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-11-2023 Heard Mr.Sanjay Kr. Sinha, learned counsel for the
petitioner and Mr.Anil Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Barachatti P.S.Case No.73 of 2022, FIR dated 01.02.2022 registered for the offences punishable under Sections 8(b) 18,29 of NDPS Act.

3. Allegation against the petitioner is that he was found involved in cultivating opium plants on large scale over forest land and private land.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed



any offence as alleged in the FIR. Further submits that it appears from the FIR itself that the informant has not given the details of the land in question of the petitioner and informant has stated that the persons, who are at Sl.Nos. 1 to 10, are accused and they are cultivating the opium on the forest land as well as on his own land.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that it has come during investigation in para-24 of the case diary that the petitioner is owner of the land in question but fairly submits that the prosecution has not mentioned the Khata No. or Keshra No. of the land in question in para-24 of the case diary which suggests/confirms that the petitioner is not the owner of the land in question.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Gaya in connection with Barachatti P.S.Case No.73 of 2022, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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