

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55210 of 2022**

Arising Out of PS. Case No.-64 Year-2021 Thana- BARACHATTI District- Gaya

1. Subhash Singh @ Subhash Singh Kharwar S/O Sarup Singh Resident Of Village- Dawath, P.S.- Barachatti, District- Gaya
2. Naku Singh @ Vishwnath Singh Kharwar S/O Sarup Singh Resident Of Village- Dawath, P.S.- Barachatti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

2      23-01-2023              Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable u/s 8(b)/ 18 and 29 of the NDPS Act.

As per the prosecution case, the petitioners and the co-accused persons are involved in illegal cultivation of poppy plants in the forest land pertaining area of 9.47 acres.

Learned counsel for the petitioners has submitted that



the petitioners have falsely been implicated in this case. He has further submitted that the co-accused persons have already been granted bail by the Coordinate Bench *vide* order dated 14.07.2022 passed in Criminal Miscellaneous No. 62108 of 2021. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned Gaya in connection with Barachatti P.S. Case No. 64 of 2021, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

**(Chandra Prakash Singh, J)**

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