

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58737 of 2023

Arising Out of PS. Case No.-220 Year-2022 Thana- BARACHATTI District- Gaya

Vijay Yadav Son Of Sahdeo Yadav @ Sahdvev Yadav Resident Of Village-
Jaigir, Ps- Barachatti, Dist- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-09-2023 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 a case registered for the offences punishable under Sections 8(b), 18 and 29 of the N.D.P.S. Act.

It is a case of cultivation of contraband opium (Afim) in government land measuring total area 5.89 acres by the petitioner and other accused persons. On seeing the police party, accused persons including the petitioner fled away from the place of occurrence, whose names were disclosed by the nearby villagers.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Petitioner was not arrested on spot. He has



no concern either with the alleged land or with the cultivation of opium. General and omnibus allegation has been levelled against the petitioner. Provision of Section 100 CR.P.C. has not been followed by the police officials while preparing the seizure list. It is also submitted that petitioner is languishing in judicial custody since 05.06.2023.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this 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.220 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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