

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60725 of 2023

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

=====

Mahesh Yadav S/O Naresh Yadav R/O Village- Dowat, P.S- Barachatti, Distt.-
Gaya.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Prem Kumar Jha

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a
case registered for the offence punishable under sections 15,
18 of the NDPS Act.

3. As per prosecution case, it is alleged that the
petitioner and co-accused were indulged in illegal cultivation
of opium plant.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence. He
has falsely been implicated in this case merely on the basis of
suspicion. The petitioner was not apprehended on the spot nor
place of plantation of opium belongs to him. He has got no



criminal antecedent. It is further submitted that the nothing incriminating article has been recovered from his conscious possession. Similarly situated co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 20.04.2023 passed in Cr. Misc. No. 1328 of 2023. Moreover, the petitioner is languishing in judicial custody since 26.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barachatti P.S. Case No. 657 of 2018 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

Manishkr/-

U		T	
---	--	---	--

