

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60537 of 2023

Arising Out of PS. Case No.-199 Year-2022 Thana- BARACHATTI District- Gaya

Devaki Prajapat S/O Dumar Prajapat Village- Badki Chapi, Ps- Barachatty,
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.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 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 8(b), 18 & 29 of the N.D.P.S. Act.

3. According to the prosecution case, the petitioner is alleged to have indulged in illegal cultivation of Opium (AFIM) plants in the areas of 26.64 acres, out of which 21.05 acres was forest land.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. The alleged land where the opium plant was being cultivated does not belong to the petitioner and also not details



of plot has been given in the FIR. He has also not concerned with the cultivation of opium plants and nothing has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 2.2.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, 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. 199 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.J.-cum-Special Judge, ND.P.S. Act, Gaya.

(Sunil Kumar Panwar, J)

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