

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67643 of 2023

Arising Out of PS. Case No.-106 Year-2021 Thana- BARACHATTI District- Gaya

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Raghu Nandan Yadav Son Of Late Ramdev Yadav R/O Vill - Bumer, P.S. -
Barachatti, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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

ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Barachatti P.S. Case No. 106 of 2021 dated 14.02.2021 registered for the offences punishable u/ss 8(b), 18 and 29 of the NDPS Act.

3. As per the prosecution case, the petitioner is alleged to have found in cultivating opium plant in the land of Forest Department measuring 1.97 acres.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner was disclosed by local police. Learned counsel has further submitted that the said opium plant was destroyed. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as



stated in para 3 of the bail petition. The petitioner is in custody since 05.07.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Barachatii P.S. Case No. 106 of 2021, with the condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

(ii) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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