

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63216 of 2022

Arising Out of PS. Case No.-73 Year-2022 Thana- BARACHATTI District- Gaya

1. CHAITU SINGH Son of Budhan Singh R/o Village - Bumer Tola Ambatari, P.S.- Barachatti, District - Gaya.
2. Muneshwar Singh @ Bhuneshwar Singh Son of Chaitu Singh @ Chhathu Singh R/o Village - Bumer Tola Ambatari, P.S.- Barachatti, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for regular bail in a case
instituted for the offence under Sections 8(b), 18, 29 of the
N.D.P.S. Act.

The allegation against the petitioners along with other
is of engaging in illegal cultivation of opium (*Afim*) plant from
the forest land and private land.

It is submitted by learned counsel for the petitioners
that petitioners have been falsely implicated in this case. They
have committed no offence. He submitted that there is nothing
on record, which shows that petitioners are in possession of



forest land. Petitioners are not owner of any private land as mentioned in the FIR and the land over which opium was allegedly cultivated does not belong to the petitioners. Petitioners are completely unaware that who are doing the agricultural work of the opium. He submitted that the others co-accused have already been granted bail by a Co-ordinate Bench vide order dated 22.11.2022 passed in Cr. Misc. No. 38248 of 2022. They are languishing in judicial custody since 21.08.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each 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 in connection with Barachatti P.S. Case No. 73 of 2022.

(Sunil Kumar Panwar, J)

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