

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70137 of 2022

Arising Out of PS. Case No.-209 Year-2022 Thana- BARACHATTI District- Gaya

SHYAM NANDAN YADAV Son of Late Pun Yadav Resident of Village -
Piprahi, P.S.- Barachatti, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya Ranjan, Advocate

For the Opposite Party/s : Mr. Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-06-2023 Heard learned counsels for the petitioner and the
State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 8(b), 18, 29 of the
Narcotic Drugs and Psychotropic Substances Act.

Allegation against this petitioner is of illegal
cultivation of opium plants over the forest land and non-forest
land.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and he has been made accused on the
basis of confessional statement of co-accused. It is further
submitted that the lands on which opium was cultivated does not
belong to the petitioner and there is no description in the entire
F.I.R. as to how the informant came to know that the opium in



question was being cultivated by the petitioner. Petitioner has got clean antecedent.

Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge-cum-Spl. Judge, NDPS Act, Gaya in connection with Barachatti P. S. Case No. 209 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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