

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78066 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- BARACHATTI District- Gaya

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Dinesh Kumar @ Dinesh Manjhi Son Of Ramprit Manjhi Resident Of
Village- Piprahi, Ps- Barachatti And Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the State : Mr. Nand Kishore Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Barachatti P.S. Case No. 148 of 2022 instituted for the offence
under Sections 8(b), 18 and 29 of the NDPS Act.

3. The informant alleges that opium was found
cultivated over 16.62 acres of land, out of which 7.70 acres of
land belongs to the forest and 8.92 acres of land is private land,
it is next alleged that the informant through the villagers came
to know that accused persons including the petitioner were
involved in the cultivation of opium.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 04-05-2023. Petitioner



bear one criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner has no concern with the allegation. Other co-accused person has been allowed anticipatory bail by Co-ordinate Bench of this Court vide order dated 13-07-2023, passed in Cr. Misc. No. 12354 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, nature of accusations and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barachatti P.S. Case No. 148 of 2022 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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