

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34583 of 2024

Arising Out of PS. Case No.-1185 Year-2022 Thana- BARACHATTI District- Gaya

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1. Mahadev Singh son of Late Gulle Singh @ Pokhan Singh
 2. Ashok Singh son of Late Dhauli Singh
 3. Churaman Singh son of Late Dhanu Singh
 4. Shankar Yadav son of Muneshwar Yadav
 5. Mantu Yadav son of Muneshwar Yadav R
 6. Ramjeet Yadav son of Tula Yadav
- All are resident of Village- Chotki Chapi, PS- Barachatti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 25-09-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Barachatti Police Station Case No. 1185 of 2022, dated 20.12.2022, disclosing offences punishable under Sections 8(b)/28/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
3. The prosecution case, as per the First Information Report lodged by the Circle Officer, Barachatti, is that the petitioners were indulged in the cultivation of opium plants on their respective agricultural lands, which was



destroyed by the excise officials.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to village politics. He further submits that the present First Information Report has been lodged without verification of the description of ownership of the lands, upon which opium plants were cultivated and the lands, upon which opium plants were found, does not belong to the petitioners. He further submits that there is no proper compliance of Section 42 and 50 of the Narcotic Drugs and Psychotropic Substances Act, 1985.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the seizure list containing the khata and plot numbers of the lands of the petitioners upon which opium plants were cultivated by the petitioners, I am not inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, dismissed

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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