

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34486 of 2024

Arising Out of PS. Case No.-212 Year-2022 Thana- BARACHATTI District- Gaya

Santosh Yadav @ Santosh Kumar Son of Sacchu Yadav Resident of Village -
Chhotki Chapi, P.S.- 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.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for anticipatory bail in a
case registered for the offence punishable under sections 8(b),
18, 29 of the NDPS Act.

3. Prosecution case relates to illegal cultivation of
Affim plants over the forest land as well as non-forest land.
Local villagers disclosed the name of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. There is complete violation of provision
of Section 50 of the NDPS Act and all the witnesses are Forest
Guards and not the local people. The place of recovery does not
belong to the petitioner. He has been falsely implicated in this



case. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 1.2.2023 passed in Cr. Misc. No. 52589 of 2022.

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

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Barachatti P.S. Case no. 212 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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