

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39835 of 2024

Arising Out of PS. Case No.-161 Year-2022 Thana- BARACHATTI District- Gaya

Karim Manjhi Son of Rameshar Manjhi, Resident of Village - Piprahi, P.S.-
Barachatti, District - Gaya (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Birendra Singh, Advocate
For the Opposite Party : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-07-2024 Heard Mr. Birendra Singh, the learned counsel for
the petitioner and Ms. Renu Kumari, the learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Barachatti PS Case No. 161 of 2024, FIR dated
25.02.2022, registered for the offences punishable under
Sections 8(b), 18 and 29 of the NDPS Act.

3. According to the prosecution case, upon patrolling
the field of forest in the village Piprahi, the forest guard saw
some suspicious persons working where opium was planted and
upon seeing the forest guard, they disappeared. It is further
alleged that local people on condition that their names will not
be disclosed, gave information about the people who were
working in the field.



4. Learned counsel for the petitioner submits that the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the FIR, it appears that petitioner and other co-accused persons were involved in cultivation of opium planted over 25.61 acres of land, which belongs to forest department. Apart from that, petitioner carries one criminal antecedent of similar nature.

6. Considering the aforesaid facts and circumstances, I am **not** inclined to grant the privilege of anticipatory bail to the petitioner in connection with Barachatti PS Case No. 161 of 2024, pending in the Court of learned Sessions Judge-cum-Special Judge, NDPS Act, Gaya.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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