

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42188 of 2024

Arising Out of PS. Case No.-2 Year-2023 Thana- SUHAIL District- Gaya

1. Manoj Bharti Son of Tetar Bharti R/O Vill.- Biraj Tola, Jari Aahar, P.S.- Sohail, Dist.- Gaya
2. Rakesh Kumar @ Rakesh Bharti Son of Ramesh Bharti R/O Vill.- Biraj Tola, Jari Aahar, P.S.- Sohail, Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Sudhir Kumar Sinha, Advocate
For the State	:	Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 27-08-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 8(b), 18 and 29 of the N.D.P.S. Act, 1985.

3. As per prosecution case, these petitioners are alleged to be indulged in cultivation of opium in the forest land.

4. It is submitted by learned counsel appearing on behalf of the petitioners that these petitioners have been made an accused in this case only suspicion. As a matter of fact, petitioners have got no concern with the land in question where the opium plants were cultivated. It is further submitted that petitioners are not owners of the land in question and the same



is forest land. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge (N.D.P.S. Act), Gaya, in connection with Sohail P.S. Case No. 2 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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