

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50152 of 2024

Arising Out of PS. Case No.-200 Year-2024 Thana- BARACHATTI District- Gaya

Ramji Yadav Son of Kameshwar Yadav Resident of Vill- Jaigir, P.S.-
Barachatti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Shivam Kumar, Advocate

For the State : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-08-2024 Heard learned counsels for the parties.

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

3. As per prosecution case, this petitioner is alleged to be indulged in illegal cultivation of opium plants on large scale over forest land.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case due to dirty village politics. Moreover, the instant F.I.R. has been lodged after inordinate delay of one month without any plausible explanation, which itself makes the entire prosecution case doubtful. No incriminating article has been recovered from conscious possession of this petitioner. Petitioner is not owner of the land



in question and the same is forest land. It is further submitted that similarly situated co-accused person has already been granted the privilege of anticipatory bail by this Hon’ble Court vide order dated 25.07.2024 passed in *Cr. Misc. No. 43221 of 2024*. Petitioner claims clean antecedents.

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

6. Considering the aforesaid facts and circumstances, nature of accusation, claim based on parity and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge NDPS Act, Gaya, in connection with Barachatti P.S. Case No. 200 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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