

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46195 of 2024

Arising Out of PS. Case No.-201 Year-2024 Thana- BARACHATTI District- Gaya

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1. Bhawani Singh @ Bhawani Singh Bhokta @ Bhawani Singh Bhogta Son of Kailu Singh @ Kailu Singh Bhogta Resident of Vill- Somiya Kewaliya, P.S.- Barachtti, District- Gaya.
 2. Devan Singh @ Devlal Singh Bhokta Son of Prayag Singh @ Prayag Singh Bhogta Resident of Vill- Somiya Kewaliya, P.S.- Barachtti, District- Gaya.
 3. Rajdeo Bhuiyan Son of Sukra Bhuiyan @ Karu Bhuiyan Resident of Vill- Somiya Kewaliya, P.S.- Barachtti, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the Narcotic Commissioner, New Delhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arvind Kumar Singh, Adv.
For the Opposite Party/s	:	Mr.Pramod Kumar Pandey, APP
For UOI		Mr. Amrendra Nath Verma, Adv
		Mr. Rakesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioners, learned counsel for the Union of India and learned Additional Public Prosecutor for the State.

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

3. Petitioners are said to have involved in cultivation of opium plants over the forest land on large scale.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in



this case on the basis of suspicion. He submits that nothing any incriminating article has been recovered from the physical or conscious possession of the petitioner. He submits that alleged cultivation of opium plants were destroyed by the police on 24.01.2024 but instant FIR was lodged on 04.04.2024 after delay of more than two months. He further submits that petitioner no. 2 has one criminal antecedent whereas rest of the petitioners have no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with Barachatti P.S. Case No. 201 of 2024.

(Anjani Kumar Sharan, J)

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