

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50094 of 2024**

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

=====

BINDESHWAR BHUIYAN @ VIDESHWAR MANJHI SON OF BADHO  
BHUIYAN @ BADHO MANJHI RESIDENT OF VILLAGE - PIPRAHI,  
BHALUACHATTI, P.S. - BARACHATTI, DISTRICT - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Shivam Kumar

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

=====

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      28-08-2024      1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Barachatti Police Station Case No. 161 of 2022, dated 25.02.2022, disclosing offences under Sections 8(b)/18/29 of the Narcotic Drugs and Psychotropic Substance Act.
3. The prosecution case, as per the First Information Report, is that the forest guard, while roaming the Piprahi forest area, saw some unknown persons near the opium field and on seeing the forest guard, they succeeded in fleeing away. Upon enquiry, the villagers disclosed the name of the petitioner and others. The prosecution party constituted a team, destroyed the cultivation of opium and



some of the opium plants were kept as material exhibit.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to village politics. There is two days delay in lodging First Information Report. He next submits that no contraband material has been recovered from the possession of the petitioner. He further submits that the petitioner was not present near the place of occurrence and the case has been lodged against him on the basis of disclosure of his name by the villagers.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the seriousness of the offence and the fact that name of the petitioner came to light after enquiry, for which, custodial interrogation may be necessary, I am not inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, dismissed.

**(Anil Kumar Sinha, J)**

ashwani/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

