

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55210 of 2023

Arising Out of PS. Case No.-17 Year-2023 Thana- DHANGAI District- Gaya

1. UPENDRA YADAV @ UPENDRA KUMAR son of Rameshwar Yadav
Village- Pokhariya Ps- Dhangain Dist- Gaya
2. Sandeep Kumar @ Sandeep Yadav son of Lakhan Yadav Village- Pokhariya
Ps- Dhangain Dist- Gaya
3. Brahamdeo Singh @ Brahamdeo Singh Bhokta son of Bihari Singh Bhokta
Village- Pokhariya Ps- Dhangain Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 14-03-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Dhangai P.S. Case No. 17 of 2023, dated 24.01.2023 for the offences punishable under Section 8(b), 18, 24 of the N.D.P.S. Act.

3. As per prosecution case, the opium plants cultivated on 34.30 acres of the forest land were destroyed with the help staffs of Narcotic Department and other police personnel. The



petitioners and some unknown persons were found walking on the said land.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. It is further alleged that the petitioner were found moving at the place of occurrence and they have no concern with the alleged fields of opium plants. It is further submitted that no one came forward to support the involvement of the petitioners in this case. Local people disclosed the name of the petitioners on suspicion.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as finding substance in the contention of learned counsel for the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya in connection with Dhangai P.S. Case No. 17 of 2023, subject to conditions as laid



down under Section 438(2) of the Code of Criminal Procedure
with further condition:

(i) The petitioners are directed to
remain physically present before
the learned Court below on each
and every date, failing which on
two consecutive dates without
reasonable cause, their bail bonds
are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

U		T	
---	--	---	--

