

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54751 of 2024

Arising Out of PS. Case No.-94 Year-2022 Thana- BARACHATTI District- Gaya

Indradeo Singh Bhokta @ Indradeo Singh Son of Chhathu Singh Resident of
village - Bighi Tola Manfar, P.S.- Barachatti, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ajay Kumar Jha,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-08-2024 Heard Mr.Avinash Kumar Singh, learned counsel
for the petitioner and Mr.Ajay Kumar Jha, learned A.P.P. for
the State.

2. The petitioner seeks bail, who is in custody since
29.02.2024 in connection with NDPS Special Case No.32 of
2024 arising out of Barachatti P.S. Case No. 94 of 2022, F.I.R.
dated 07.02.2022 registered for the offence punishable under
Sections 8(b),18,29 of N.D.P.S.Act.

3. Prosecution case, in brief, as per written report of
the informant Chotey Lal Paswan, Anchal Adhikari,
Barachatti, is that on 29.01.2022, he alongwith NCB Patna
Forest Department, Officer and other officials reached at
village Bidhi Tola Manafar within P.S.-Barachatti and



destroyed the crop of opium over the land belongs to Indradeo Singh Bhokta and Balchand Singh Bhogta including other land and thereafter a seizure list was prepared of green opium by Bhupendra Narayan Singh, Revenue Karamchari and the informant also signed over the seizure list.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that from a bare perusal of the FIR it appears that the petitioner is not the owner of the land on which the plantations were found, in fact, the land in question is belonged to the Bihar Government which is a public place and the petitioner has no concern at all with the alleged opium which was recovered from the land in question and co-accused person, namely, Mulchand Singh Bhokta @ Mulchand Sinmgh Bnhogata, against whom the similar allegation, has been granted bail by this Court vide order dated 23.08.2023 passed in Cr. Misc. No.53256 of 2023. Further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 29.02.2024.

5. Learned APP for the State has opposed the prayer



for bail of the petitioner.

6. Considering the aforesaid fact, let the petitioner, above named, be released 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 Additional District and Session Judge-XII, Gaya in connection with NDPS Special Case No.32 of 2024 arising out of Barachatti P.S. Case No. 94 of 2022, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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