

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.69490 of 2024**

Arising Out of PS. Case No.-25 Year-2024 Thana- DHANGAI District- Gaya

Manoj Yadav S/O- Nageshwar Yadav Village- Haheadi Haheanri PS-  
Dangai Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shailish Kumar Singh, Advocate  
For the Opposite Party/s : Mrs. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      20-09-2024                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with  
Dhangai P.S. Case No. 25 of 2024 dated 12.03.2024 instituted  
for the offence punishable under Sections 8, 15, 18(c), 25 of the  
Narcotic Drugs and Psychotropic Substances, Act, 1985.

3. Allegation against the petitioner and other accused  
persons are that they cultivated poppy plants in the forest land  
of Thana No. 258.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and he has been falsely implicated in this  
case. It is further submitted that from perusal of the F.I.R., it  
appears that poppy plants were destroyed on several dates  
starting from 07.02.2024 to 01.03.2024, but the written report



was lodged on 12.03.2024 i.e. after more than one month. It is admitted fact that the poppy plants were cultivated in the forest area. Learned counsel for the petitioner further submits that only on the basis of suspicion the petitioner has been made accused in this case. Nothing has been recovered either from the possession of the petitioner or from his house. It is further submitted that the petitioner resides 6 to 7 km away from the alleged place of occurrence. Poppy plants are grown in connivance of the officials of forest department and whenever a situation arises to lodge F.I.R., innocents persons are made escape goats. Also, other co-accused persons, namely Sompal Yadav @ Sonpal Yadav and Rohan Yadav have been granted anticipatory bail by this Court *vide* order dated 04-09-2024 passed by this Court in Cr. Misc. No. 57643 of 2024. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon, furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned



Special Judge, N.D.P.S. Act, Gaya, in Dhangai PS Case No.25 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 subject to the further conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that 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.

7. The application stands allowed.

**(Khatim Reza, J)**

shyambihari/-

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

