

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79227 of 2024

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

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Tejan Singh @ Tejan Singh Bhokta S/O Chhakaudi Singh @ Chhakoudi
Singh Bhokta R/O Village- Pokhariya, P.S- Dhangai, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 29-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. 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) and 25 of
the N.D.P.S. Act.

3. The allegation against the petitioner and other
accused persons is that they cultivated poppy plants in the forest
land situated at Thana No. 258 in Gaya district.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is 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. 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 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. It is further submitted that co-accused Manoj Yadav has also been granted anticipatory bail by this Court *vide* order dated 20.09.2024 passed in Criminal Miscellaneous No. 69490 of 2024. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Dhangai P.S. Case No.



25 of 2024, he shall be released on anticipatory 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 C.J.M.-cum-Spl. Judge N.D.P.S. Act, Gaya, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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