

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80954 of 2023

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

KISHORI YADAV SON OF SURESH YADAV R/O VILLAGE-
KISHUNCHAK, P.S.- BHADWAR, DISTRICT- GAYA

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. THE UNION OF INDIA THROUGH THE NARCOTIC COMMISSIONER,
NEW DELHI NEW DELHI

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-04-2024 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 8(b), 18 and 29 of the
NDPS Act.

3. Petitioner is alleged to be indulged in illegal
cultivation of opium on the forest land.

4. It is submitted that petitioner has falsely been
made accused in this case only on suspicion. The land on which
the alleged cultivation of opium crops was found does not
belong to this petitioner. From the bare perusal of the F.I.R., it is
apparent that only on the basis of disclosure of forest guard



namely *Binay Ram*, this petitioner has falsely been made accused and except that petitioner was neither seen on the spot nor any incriminating material has been recovered from his possession . Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge – Cum – spl. Judge , NDPS Act, Gaya in connection with Bhadwar P.S. case No. 17 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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