

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81234 of 2024

Arising Out of PS. Case No.-86 Year-2022 Thana- VAISHALI District- Vaishali

Shobhit Singh, S/o Ramdev Singh, R/o vill - Bhagwatpur, P.S. - Vaishali,
Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. M.K.Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-12-2024 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Vaishali P.S. Case No. 86 of 2022, registered for the
offences punishable under Sections 18 and 19 of the N.D.P.S.
Act

3. The allegation against the petitioner is of
cultivating opium in his field; the police conducted raid and
found 127 plants of opium were being planted and there were
767 numbers of doda over the plants.

4. Learned Advocate appearing on behalf of the
petitioner contended that during the course of enquiry it has
come that the land pertaining to Khesra No. 2332, from where



plants were recovered, is the ancestral land of the petitioner and the same is equally distributed among four brothers vide different settlement numbers and they have been coming in cultivating possession of their respective portion of the land. It is further contended that in fact, the cultivation over the land in question was being conducted by one Yogendra Singh, but only on account of the fact that the petitioner is the land owner, his name has been implicated in this case, without there being any sufficient materials suggesting the complicity of the petitioner. The petitioner has absolutely clean antecedent and moreover, during the course of investigation it has not come that the petitioner is engaged in trafficking of any narcotic substance.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that recovery of huge numbers of opium plants and doda clearly speaks about the involvement of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the land in question has been coming in cultivating possession of four brothers coupled with the fair antecedent and the undertaking of the petitioner that he will fully cooperate in the proceeding of the Court, let the petitioner above named be released on bail, in



the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, Vaishali, Hajipur in connection with Vaishali P.S. Case No. 86 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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