

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83565 of 2023

Arising Out of PS. Case No.-107 Year-2016 Thana- BARACHATTI District- Gaya

Parmeshwar Yadav S/O Late Pato Yadav Village- Jaigir, Ps. Barachatti, Dist. Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nand Kishore Prasad Sinha

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-03-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 15 and 18 of the NDPS Act.

3. The present case has been lodged on the basis of information given by Ran Nath Mandal, Range Officer, Bhalua to the officer incharge of Barachatti Police Station. On 8.2.2016, police officials reached to the place of occurrence and found that opium plants were being grown in the forest land and thereafter destroyed it. On enquiry, it came to light that some accused persons including this petitioner are engaged in cultivation of opium.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this Case only on the basis of suspicion. Nothing has been recovered from his possession. It is further submitted that petitioner is working as labour out of the state so there is no question of cultivation by him. Similarly situated other co-accused person has already been enlarged on anticipatory bail by another coordinate Bench of this Court vide order dated 21.6.2023 passed in Cr. Misc. No. 37075 of 2023, annexed as Annexure-3 to this petition. Petitioner has got no criminal antecedent and languishing in judicial custody since 23.8.2023.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge NDPS



Act, Gaya in connection with Barachatti P.S. Case No. 107
of 2016.

(Sunil Kumar Panwar, J)

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