

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83826 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- BARACHATTI District- Gaya

KARU YADAV SON OF VASUDEV YADAV RESIDENT OF VILLAGE -
KAHUDAG, TOLA - NIMIATAD, P.S. - BARACHATTI, DISTRICT -
GAYA (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niraj Gopal Sharan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 10-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 8(b), 18, 29 of NDPS Act.

3. Allegedly, all the FIR named accused persons including
the petitioner are said to be involved in the cultivation of opium
plants, which were grown in total 39.4 acres area of forest land.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and he has committed no
offence. No such occurrence as alleged in the FIR has ever
taken place. Petitioner has been falsely implicated in this case
due to ulterior motive. The allegation levelled against the
petitioner is totally false and based on concocted facts. He has



no concern with the land where opium plants were cultivated. No any contraband article has been recovered from the possession of the petitioner or from his house. His name has been transpired in the present case merely on the basis of the oral statement of the local villagers. There is no compliance of Section 100 Cr.P.C. Petitioner has no criminal antecedent as mentioned in para-3 of this application and he is in custody since 22.08.2023.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case and the period of custody as well as the fact that no any contraband article has been recovered from the possession of the petitioner or from his house, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court, in connection with Barachatti P.S. Case No. 54 of 2023.

(Anjani Kumar Sharan, J)

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