

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10049 of 2025

Arising Out of PS. Case No.-27 Year-2019 Thana- BARACHATTI District- Gaya

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Jitendra Manjhi, Son of Krishna Manjhi, Resident of Village- Piprahi, P.S.
Barachatti, District- Gaya,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs.Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 02-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Barachatti P.S. Case No. 27 of 2019, registered for the alleged offence under Sections 8, 15, 18 and 20 (a) of NDPS Act.

3. As per prosecution case, police received secret information about the petitioner and other co-accused persons cultivating opium on their land. A raid was conducted and the opium crops (post as well as plant) were destroyed.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person/possession of the petitioner and the land on which it is



claimed that opium was being cultivated, does not belong to this petitioner. Moreover, no plot number or *khesra* number has been given in the FIR. Except for the secret information received by the police, there is no material to connect the petitioner with the offence as alleged. The petitioner is having antecedent of two cases. The petitioner is in custody since 13.11.2024. The charges have been framed. The learned counsel further submits that the co-accused persons, namely Satendra Manjhi and Srawan Singh have been granted bail by different Coordinate Benches of this Court vide orders dated 05.04.2023 and 06.02.2020, respectively and the case of the petitioner is on similar footing.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner. The learned APP submits that the petitioner appears to be habitual offender and is accused in two cases of similar nature.

6. Having regard to the facts and circumstances and submissions made hereinabove and considering the vague nature of allegation and absence of substantive material against the petitioner and further considering the grant of bail to the similarly placed co-accused persons and also considering the period of custody of the petitioner along with framing of charge, he is directed to be released on bail on furnishing bail bond of



Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Gaya, in connection with Barachatti P.S. Case No. 27 of 2019, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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