

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10425 of 2025

Arising Out of PS. Case No.-75 Year-2021 Thana- BARACHATTI District- Gaya

Sunil Yadav @ Lalu Kumar Yadav @ Sunil Kumar Yadav @ Sunil Kumar S/o
Durjun Yadav Resident of Village- Sankhwa, P.S.- Barachatti, District- Gaya,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for bail in Barachatti
P.S. Case No. 75 of 2021 registered for the offence
punishable under sections 8(b), 18, 29 of the NDPS Act.

3. As per allegation in the FIR, matter relates to
cultivation of opium in 12.95 acres of Bhalua Forest Area
for which written report is filed by Forest Ranger. At the
time of filing FIR, name of petitioner and five other accused
persons have been disclosed by the nearby people at the
time of spot inquiry.

4. It is submitted by learned counsel for the
petitioner that petitioner has been falsely implicated in this



case. Neither khata and plot number is mentioned in the FIR nor any chit of paper is produced in respect of the alleged land upon which cultivation of opium was allegedly being made to show that the alleged land belongs to the petitioner. As per FIR alleged land is a forest protected area and for security of the same, forest officials are deployed all the time. Save and except suspicion, nothing has come against the petitioner to show his involvement in the present case. He is languishing in judicial custody since 10.12.2024.

5. The application for bail is opposed by learned APP for the State.

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 **after framing of charge**. 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. 75 of 2021 with following conditions:



(i) One of the bailors should be close relative of the petitioner.

(ii) Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bonds may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

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