

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14790 of 2025**

Arising Out of PS. Case No.-86 Year-2024 Thana- BARACHATTI District- Gaya

Mathura Manjhi @ Mathura Bhuiyan @ Mathura Bhuian S/O Moti Manjhi
Resident of Village- Masoundha, P.S. Mohanpur, District- Gaya,

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER**

2 19-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Barachatti P.S. Case No. 86 of 2024 instituted for the offence under Sections 8, 18, 29 of the NDPS Act.

3. The case of the prosecution is that the informant reached Rangwa area for destruction of opium and accordingly, during the course of destruction of opium, he saw that in different plots at Rangwa forest area opium has been cultivated. The area is protected forest and the opium was found planted on 15.52 acres of the forest land and the local villagers have disclosed the name of the accused persons including the petitioner herein regarding the involvement in illegal farming of



opium on the forest land.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. It is also submitted that petitioner is not concerned in any way with the said farming of opium plant on the forest land. It is further submitted that it is the forest officials, who indulged in farming of opium and when the fact came to notice of the superior officers, innocent people were implicated, who reside adjacent to the forest area. Similarly situated other co-accused persons have already been granted anticipatory bail by this Court vide order dated 03.09.2024 in Cr. Misc. No. 40876 of 2024. The case of this petitioner stands on similar footing.

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

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender



in connection with Barachatti P.S. Case No. 86 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Gaya, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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