

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15499 of 2025

Arising Out of PS. Case No.-45 Year-2024 Thana- BARACHATTI District- Gaya

Baleshwar Yadav Son of Late Kishun Yadav Resident of Village- Piprahi, 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. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8, 18 and 29 of the N.D.P.S Act and Sections 25(1-b)(a), 26 and 35 of the Arms Act.

3. The case of the prosecution is that on 16.01.2024, for destruction of opium, a team was formed by the informant. That time he found that in the land of the forest Thana No. 316 on different plots, the plantation of opium was being done. At the time of destruction, one country made gun was also recovered. The plantation was done on the area of 10.35 acres. It is further submitted by the informant that he along with forest conservator Sonu Kumar inquired with the villagers who



disclosed on the promise of concealment of their identification that the opium was being planted by eight persons and petitioner is one amongst them.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It has also been argued by the learned counsel for the parties that before a week same nature of case has been lodged, stating therein same facts. From perusal of the FIR, it is clear that the implication of this petitioner is on the basis of the statement of the co-villagers. It is not disclosed in the case diary that who has disclosed the name of the petitioner and others. He has got two criminal antecedents. Similarly situated co-accused person has already been granted regular bail by this Court vide order dated 20.01.2025 passed in Cr. Miscellaneous No. 70961 of 2024. It is further submitted that the petitioner is languishing in judicial custody since 18.10.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the



petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barachatti P.S. Case No. 45 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of court of learned Additional District & Sessions Judge-IV, Gaya.

(Ashok Kumar Pandey, J)

Ranjeet/-

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