

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31631 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- BARACHATTI District- Gaya

Kuleshwar Singh @ Bihari Yadav Son of Late Khemlal Singh @ Mukhlal Singh Resident of Village - Berouni Tand, P.S.- Rajpur, District - Chatra (Jharkhand).

... .. Petitioner

Versus

1. The State of Bihar
2. The Union of India, through the Narcotic Commissioner, New Delhi. New Delhi

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Singh, Advocate
For the State	:	Mr. Rajendra Singh, APP
For the U.O.I.	:	Mr. Kumar Ganesh Gunjan, C.G.C.

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Barachatti PS. Case No.20 of 2025 dated.10.01.2025, registered for the offences punishable under Sections 8(b), 18 and 29 of the Narcotics Drugs and Psychotropic Substance Act.

3. The prosecution case as emerges from the FIR is that there is cultivation of opium being done on forest land.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the land over which opium is



alleged to have been cultivated does not belong to the petitioner nor he has anything to do with the alleged offence. This case has been filed against the petitioner only on the basis of suspicion.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in one other case in which he is on bail.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Barachatti PS. Case No.20 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

Chandan/-

U		T	
---	--	---	--

