

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32133 of 2025**

Arising Out of PS. Case No.-25 Year-2024 Thana- DHANGAI District- Gaya

Hiraman Saw S/o Late Jagdish Sao R/vill- Latkuta, P.S.- Dhangai, Distt-  
Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rahul Kumar, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

3      20-08-2025                      Heard the learned Advocate for the petitioner and the  
learned APP for the State.

2. The petitioner apprehends his arrest in connection  
with Dhangai P.S. Case No. 25 of 2024, registered for the  
offences punishable under Sections 8, 15, 18(c) and 25 of the  
NDPS Act.

3. Allegedly, the petitioner and others have been  
found indulged in cultivating poppy plants in the forest land of  
Thana No. 258, leading to institution of the FIR.

4. Learned Advocate for the petitioner contended that  
from bare perusal of the FIR, it appears that poppy plants were  
destroyed on several dates in between 07.02.2024 to  
01.03.2024, but the present FIR came to be lodged on  
12.03.2024, after a month. Even if the allegation accepted to be



true, the poppy plants were said to have been cultivated in the forest area, over which the petitioner has neither any concern nor during the course of investigation, it has come that any poppy plant or incriminating material has been recovered from his whereabouts. Taking note of the aforesaid facts, other co-accused persons, having identical allegation allowed the privilege of anticipatory bail by a Bench of this Court in Cr. Misc No. 57643 of 2024 and in Cr. Misc. No. 69490 of 2024 vide order dated 04.09.2024 and 20.09.2024, respectively. The case of the petitioner is based on parity. All the more, the petitioner bears fair antecedent.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that other co-accused persons have been allowed the privilege of anticipatory bail, coupled with fair antecedent let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



the learned Session Judge-cum-Special Judge NDPS Act, Gaya  
in connection with Dhangai P.S. Case No. 25 of 2024, subject to  
the conditions laid down in Section 482(2) Bharatiya Nagarik  
Suraksha Sanhita, 2023 with the further condition that one of  
the bailors shall be the own/close family members of the  
petitioner.

**(Harish Kumar, J)**

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