

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29846 of 2025

Arising Out of PS. Case No.-556 Year-2024 Thana- BARACHATTI District- Gaya

Bihari Yadav S/o- Beera Yadav Village- Jaygir, Ps- Barachatti, Dist- Gaya

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 8(b), 18 and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. During raid, it was found that opium plants were being cultivated in the forest area of 1.2 acres. The petitioner is also alleged to be involved in the cultivation of opium plants.

4. Learned counsel for the petitioner submits that from perusal of F.I.R., it is apparent that the alleged cultivation of opium plants was on government land. No incriminating article has been recovered from the possession of petitioner and only on suspicion, he has been made accused in this case. Petitioner has got no concern with the alleged cultivation of



opium and has got no criminal antecedent of similar nature.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Gaya in connection with Barachatti P. S. Case No. 556 of 2024, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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