

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34379 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- BARACHATTI District- Gaya

Rambali Yadav S/o Nanku Yadav Resident of Village- Baniya Wan
(Baniyabandh), P.S.- Rajpur, District- Chatra (Jharkhand),

... .. 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. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-05-2025 Heard Mr. Gajendra Kumar Singh, learned counsel
for the petitioner and Mr. Binod Kumar, learned APP for the
State.

2. The petitioner is apprehending his arrest in connection with Barachatti P.S. Case No. 83 of 2025 for the offence under sections 8(b), 18, 29 of the NDPS Act lodged on 01.03.2025 by the informant, Suraj Prakash.

3. As per the prosecution story, the informant, Range Officer of Forest, alleged that in the protected forest area the opium were cultivated which were destroyed and the locals gave the name of the accused persons. This led to the FIR.

4. Learned counsel for the petitioner submits that the land belongs to the forest, it was their duty to protect it and to save their skin, innocent have been made accused. The



petitioner has no criminal antecedent.

5. Learned APP opposes the prayer the prayer for anticipatory bail, accept that the forest officials cannot exonerate themselves from the responsibility, this being protected forest area.

6. Taking into account the submissions of the parties as also that the petitioner has no criminal antecedent, it is unfortunate that the forest officials fail to protect their own land and one fine morning, on the basis of information of the chaukidar, start naming the accused, it is high time that they mend their ways, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Gaya, in connection with Barachatti P.S. Case No.83 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. If, however, it is found that the petitioner has criminal antecedent, the order shall become infructuous.

(Rajiv Roy, J)

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