

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36623 of 2025

Arising Out of PS. Case No.-552 Year-2024 Thana- BARACHATTI District- Gaya

-
1. Yugal Yadav S/O Tahal Yadav Resident of Village- Somiyan, P.S.- Barachatti, District- Gaya,
 2. Ritlal Yadav S/O Tahal Yadav Resident of Village- Somiyan, P.S.- Barachatti, District- Gaya
 3. Chamari Yadav S/O Amrit Yadav Resident of Village- Somiyan, P.S.- Barachatti, District- Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Narcotics Control Bureau Patna

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-09-2025 Heard the parties.

2. The petitioners are apprehending arrest in connection with Barachatti P.S. Case No. 552 of 2024 instituted under Section 8(b),18 & 29 of the NDPS Act lodged on 23.12.2024 by the informant, Suraj.

3. As per the prosecution story, the informant, the Forest Range Officer alleged that in the Kadal Forest Area under Barachatti, Gaya, the officials moved to the forest



area and found opium plants having been grown on the forest land. The same were destroyed and the locals upon enquiry, gave the names which followed the FIR.

4. Learned counsel for the petitioners submit that they being villagers, under enmity, named. The place being forest area, they have no role to play in the cultivation of opium.

5. Learned APP opposes the prayer stating that the locals have gave their names.

6. The area is restricted forest place, it is the duty of the forest officials to look into it and protect their own land, instead, the FIR shows that the opium plants were cultivated. In that background, they are also answerable to the fact how the cultivation of opium was happening under their jurisdiction.

7. The petitioners have been named, shall be facing the trial, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

8. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each



with two sureties of the like amount each in connection with Barachatti P.S. Case No. 552 of 2024 to the satisfaction of learned Sessions Judge-cum Special Judge, NDPS Act, Gaya subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(v) the petitioners 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;



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

(Rajiv Roy, J)

Ravi/-

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

