

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42772 of 2025

Arising Out of PS. Case No.-1079 Year-2023 Thana- BARACHATTI District- Gaya

Mithlesh Manjhi, aged about 43 years, Gender- Male, S/o Suresh Manjhi, R/o Village- Bhalua, P.S.- Barachatti, District- Gaya

... .. 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. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

4 15-10-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Barachatti PS Case No.1079 of 2023 dated 19.12.2023, instituted under Sections 8(b), 18, 29 of the NDPS Act.

3. The allegation against the petitioner is of cultivating opium plants on large scale over the land of the forest.

4. Learned counsel for the petitioner submits that from the FIR itself it would appear that the opium were planted over forest land measuring 3.40 acres, which is protected forest area. The petitioner has no concern either with the said forest area or with the opium plants. Petitioner has been made accused only on the basis of disclosure made by the villagers, who



disclosed the name of three persons including the petitioner. Further submission is that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge cum Special Judge, NDPS Act, Gaya, in Barachatti PS Case No.1079 of 2023, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita*, 2023.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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

