

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49326 of 2025

Arising Out of PS. Case No.-376 Year-2016 Thana- BARACHATTI District- Gaya

Rakesh Bhokta @ Rakesh Singh @ Baula Singh @ Baula Bhokta @ Rakesh Singh Bhokta S/o Darsni Singh R/o Village- Pokhariya, Tola Kumbhi, PS-Barachatti, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-08-2025 Heard Mr. Sudhir Kumar Sinha, learned counsel for the petitioner and Mr. Md. Ataur Rahman, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Barachatti P.S. Case No. 376 of 2016 instituted for the offence under Sections 8, 17(B), 18(B), 25 and 29 of the N.D.P.S. Act.

3. The case of the prosecution is that from a truck altogether 500 grams of opium was recovered.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Learned counsel for the petitioner has submitted that he is not concerned in any way either with the truck or with the



seizure. His name has surfaced in the statement of one Raju Kumar who has stated that petitioner and other co-accused were on bike and he has given the opium to the driver. No recovery of alleged contraband has been from his possession.

5. In contra, learned APP appearing for the State has vehemently opposed the prayer of bail of the petitioner and submitted that petitioner is having one criminal antecedent.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Barachatti P.S. Case No. 376 of 2016, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge (N.D.P.S.) Act, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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