

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59073 of 2025

Arising Out of PS. Case No.-194 Year-2024 Thana- BARACHATTI District- Gaya

Pappu Bhuiyan @ Pappu Manjhi S/o Mahavir Manjhi @ Mahavir Bhuiyan,
R/o Village- Bhalua Chatti, PS- Barachatti, District- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate
For the State : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Barachatti P.S. Case No. 194 of 2024, dated
03.04.2024 registered for the offences punishable under
Sections 8(b), 18 and 29 of NDPS Act.

3. As per allegation, there was cultivation of opium on
forest land. Further case of the prosecution is that as per hearsay,
the petitioner was also involved in the said cultivation on the
forest land.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that petitioner has nothing to do with
the alleged offence and the land, over which the opium has been



allegedly cultivated, does not belong to him, nor there is any concern of the petitioner with the alleged cultivation of opium. There is no cogent evidence against the petitioner and the case is based only on hearsay which has no evidentiary value.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Barachatti P.S. Case No. 194 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S, 2023, and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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