

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58491 of 2025

Arising Out of PS. Case No.-131 Year-2025 Thana- BARACHATTI District- Gaya

Manoj Yadav @ Manoj Kumar, Son of Rohan Yadav, Resident of Village -
Somiya, P.S.- Barachatti, District - Gaya (Bihar).

... .. 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. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. Petitioner apprehends his arrest in connection
with Barachatti P.S. Case No. 131 of 2025 registered for
the offences under Sections 8(B), 18, 29 of the NDPS
Act.

3. The allegation against the petitioner is that he
along with other accused persons, was found to be
cultivating opium plants in the forest land.

4. Learned counsel for the petitioner submits
that the petitioner is innocent and has falsely been
implicated, and the FIR has been lodged against all



together twelve persons, including the petitioner. It has been submitted that the name of the petitioner has been given by the local villagers and he has no concern with the said land. It has been submitted that nothing has been recovered from the conscious possession of the petitioner and he has been falsely made an accused. It has been submitted that the petitioner has got clean criminal antecedent. It has been submitted that one similarly situated co-accused, namely, Arun Kumar Yadav, has been granted privilege of anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 43527 of 2025 vide order dated 16.07.2025, the order of which has been brought on record by way of Annexure P/2.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender



before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Barachatti P.S. Case No. 131 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in



similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

(Sourendra Pandey, J)

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