

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60999 of 2025

Arising Out of PS. Case No.-48 Year-2024 Thana- BARACHATTI District- Gaya

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1. Dinesh Singh Bhokta @ Dinesh singh son of Mahavir Singh Bhokta Resident Of Village - Khaira, ps- Barachati, Dist- Gaya
 2. Talo singh @ Talo Singh Bhokta son of Mahavir singh Bhokta Resident Of Village - Khaira, ps- Barachati, Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. The Union of india through Narcotics Commisioner New Delhi New Delhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-09-2025 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Barachatti P.S. Case No. 48 / 2024 dt: 20.01.2024 registered for the offence under Section 8, 18 and 29 of the N.D.P.S. Act.

3. As per the F.I.R. on 13.01.2024 the Officials of Forest Department in presence of Police Officials arrived at Mauza-Dang in Thana No. 315 and Mauza- Khaira in Thana No. 318 under Bhaluachatti Panchayat and destroyed the cultivation of opium plants. The Anchal Amin marked various plots which are 'raiyaati' land as per government notification over which



cultivation of opium was being done and it came to light that that eleven persons named in the F.I.R. including the petitioners are indulged in the cultivation of opium.

4. Learned counsel for the petitioners submits that petitioners are innocent and have not committed the offence as alleged in the F.I.R. She further submits that cultivation of opium plant has been destroyed on 13.01.2024 but the instant F.I.R. has been lodged on 20.01.2024 after an unexplained delay of seven days. She next submits that the so-called land on which the alleged cultivation of opium plant has been destroyed does not belong to the petitioners. She also submits that no incriminating article and / or any narcotic substance has been recovered either from conscious possession and / or house belonging to petitioners. The petitioners have clean antecedent.

5. Learned A.P.P. opposed the prayer for anticipatory bail and submits that petitioners are specifically named in the F.I.R.

6. Having regard to the submissions made on behalf of the parties, taking into consideration the nature of allegation, gravity of offence, the ill effect of contraband in society at large and the fact that name of petitioners came to light after enquiry made by the Police for which custodial interrogation of the petitioners may be necessary, accordingly, I am not inclined to



grant anticipatory bail to the petitioners. The same is rejected.

(Anil Kumar Sinha, J)

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