

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72452 of 2024

Arising Out of PS. Case No.-1186 Year-2022 Thana- BARACHATTI District- Gaya

Sachu Yadav Son of Tori Yadav Resident of Village- Chhotki Chapi, P.S.
Barachatti, District-Gaya,

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Adv.
For the State : Mr. Asalam Ansari, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 09-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 8(b), 18, 29 of the NDPS Act.

3. As per the prosecution case, the name of the petitioner has transpired in the FIR as a person who was involved in the cultivation of opium in a plot of land which included both forest area and non forest area.

4. Learned counsel for the petitioner submits that it would be clear from the FIR itself that the cultivation of opium was being done in the forest area and despite the forest guard and officials being on duty, nobody could be



apprehended. The name of the petitioner has only been revealed by some local villagers who have not even disclosed their own names. During the course of investigation also, nothing substantial has been collected which would connect the present petitioner to the alleged offence. Neither does the concerned plot of land belong to the petitioner nor there is any witness who specifically points out towards the fact that the petitioner was involved in the cultivation of opium. It is further submitted that petitioner has no criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances and also taking into consideration that the petitioner has no criminal antecedent, I am inclined to grant the privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Gaya in connection with Barachatti P.S. Case No. 1186 of 2022, subject to the condition



as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the
BNSS, 2023.

(Soni Shrivastava, J)

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