

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75946 of 2025

Arising Out of PS. Case No.-64 Year-2023 Thana- MADANPUR District- Aurangabad

Mithilesh Kumar S/o- Rampravesh Bhuiyan @ Rampravesh Rikiyasan @
Rampravesh Singh Bhikta R/v- W.No-1, Mahadeva Ps- Obra Dist-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhuresh Singh, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 12-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. Earlier, anticipatory bail of the petitioner has been
rejected by a Co-ordinate Bench of this Court vide order dated
08.09.2023 passed in Cr. Misc. No. 27872 of 2023.

3. The petitioner seeks bail in connection with
Madanpur P.S. Case No. 64 of 2023, instituted for the offences
punishable under Sections 8(b), 18(b), 20(B)(ii)(c) and 29 of the
NDPS Act.

4. Prosecution allegation, in short, is that the petitioner
along with other co-accused persons were illegally cultivating
banned opium (poppy flower) in their field and the same was
seen by the police.



5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the said land does not belong to the petitioner and he was not cultivating opium. The co-villagers and local choukidars have disclosed the name of the petitioner. The allegation levelled against the petitioner is false and fabricated. The petitioner is in custody since 23.07.2025 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Learned counsel for the petitioner further submits that other co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 16.04.2024 passed in Cr. Misc. No. 9934 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Madanpur P.S. Case
No. 64 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of
the family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial. In case of default in such appearance on two
consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

