

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84568 of 2024

Arising Out of PS. Case No.-52 Year-2012 Thana- BARACHATTI District- Gaya

1. Parmeshwar Singh Bhokta S/o- Late Jageshwar Singh Bhokta Village- Kewaliya Somiya PS- Barachatti Dist-Gaya
2. Prit Yadav @ Ramprit Yadav S/o- Teka Yadav Village- Kewaliya Somiya PS- Barachatti Dist-Gaya
3. Chetlal Singh Bhokta @ Jotlal Singh Bhokta S/o- Late Jageshwar Singh Bhokta Village- Kewaliya Somiya PS- Barachatti Dist-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-01-2025 Heard the learned Advocate for the petitioners and the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Barachatti P.S. Case No. 52 of 2012, registered for the offences punishable under Sections 18 of the N.D.P.S. Act.

3. The allegation against the petitioners is of involved in cultivation of opium on their field.

4. Learned Advocate for the petitioners contended that on the disclosure made by two persons, who are none else but the father and son, the name of 42 persons of three villages have been implicated in this case. The petitioners were all along working outside the State and, as such, they were not knowing this fact that their names have been implicated in this case. Moreover, there is no prescription suggesting that the opiums



have been recovered from the land of the petitioners. The petitioners have never been involved in any kind of cases and, as such, when the petitioners came to know about the present case, they moved before this Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application submits that the petitioners have been evading from the due course of law for the last 12 years and on this score alone, they do not deserve the anticipatory bail.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the case is of the year 2012 and the petitioners have been evading from the due course of law, since long, this Court is not acceded to the prayer for bail of the petitioners and accordingly, the same stands rejected.

7. However, if the petitioners surrender before the Court below preferably within a period of six weeks, from today, the learned jurisdictional Court without being prejudiced by the order of this Court shall consider the case of the petitioners for grant of bail and pass an appropriate order, within a further period of four weeks.

(Harish Kumar, J)

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