

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84407 of 2024

Arising Out of PS. Case No.-116 Year-2019 Thana- BARACHATTI District- Gaya

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Rajo Das @ Rajo Ravi Das Son of Late Tetar Ravidas, Resident of Village-
Gobariya, P.S. - Barachatti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate
For the State : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 10-01-2025 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner apprehends his arrest in connection with Barachatti P. S. Case No. 116 of 2019 dated 14.03.2019, registered for the offences punishable under Sections 8, 5, 18(c) and 25 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. As per allegation, the accused persons including the petitioner, were indulged in the illegal cultivation of opium on a piece of land.

4. Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that as per the allegation, the petitioner was not found cultivating the opium crops on the land and only



on account of suspicion, his name has transpired in the F.I.R. Moreover, the land does not belong to the petitioner nor any description of the land under cultivation has been given by the Police. He also submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that the whole case is based only on suspicion. He also submits that other co-accused persons have been granted bail by a co-ordinate Bench of this Court vide order dated 05.12.2019, passed in Cr. Misc. No. 63754 of 2019.

5. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedent.

6. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for anticipatory bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000/- (Ten Thousand)



with two sureties of the like amount each to the satisfaction of Ld. Sessions Judge, Gaya in connection with Barachatti P.S. Case No. 116 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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