IN THE HIGH COURT OF JHARKHAND AT RANCHI
ABA No.6826 of 2025

Awaz Khan @ Abaz Ahmad, aged about 30 years, Son of - Nehal Khan, Resident of Village - Awal Mohalla, P.O. and P.S. - Chatra, District-Chatra .... Petitioner

Versus

The State of Jharkhand ... Opp. Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner : Mr. Abhay Kr. Chaturvedy, Advocate
For the State : Mr. Bhola Nath Ojha, Spl. P.P.

2/02.12.2025 Heard learned counsel appearing on behalf of Petitioner and learned counsel appearing on behalf of the State.

2. The petitioner is apprehending his arrest in connection with Kunda P.S. Case No. 05/2020, registered for the offence punishable under Sections 18, 20 & 22 of Narcotic Drugs and Psychotropic Substances Act and under Section 33 of Indian Forest Act, pending in the court of learned District and Sessions Judge, Chatra.

3. Learned counsel appearing for the petitioner submits that petitioner has earlier moved in ABA No.4031 of 2022, which was dismissed for not removing the defects within time in light of preemptory order. He submits that thereafter Section 82 Cr.P.C. process has been issued against the petitioner, which has been challenged by the petitioner before this Court in Cr.M.P. No.2481 of 2025 and Section 82 Cr.P.C. process has been quashed by this Court and thereafter the anticipatory bail was filed before the learned Sessions Judge and the learned Sessions Judge has been pleased to dismissed the application and thereafter the present anticipatory bail has been filed.

4. Learned counsel appearing for the petitioner submits that the allegations are made that 15 named persons including 8 to 10 unknown persons have done cultivation of the poppy plants in forest area. He submits that even the land is not belonging to the petitioner and the petitioner has got no criminal antecedent as disclosed in Para 14 of the petition.

5. Learned counsel appearing for the State opposed the prayer and submits that the allegations are there of cultivation of poppy plants.

6. Considering that the land is not belonging to the petitioner and the land is of forest department and the petitioner has got no criminal antecedent; I am inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner above named is directed to surrender before the learned Court within three weeks from the date of receipt of the order and on the event of his surrender / arrest, he shall be released on bail on furnishing bail bond of Rs.25,000/- (Twenty-Five Thousand) with two sureties of the like amount of each to the satisfaction of learned District and Sessions Judge, Chatra, in connection with Kunda P.S. Case No. 05/2020, subject to the condition as laid down under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

8. This Anticipatory Bail Application is accordingly allowed and disposed of.

(Sanjay Kumar Dwivedi, J.)

02.12.2025
R.Kumar