

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30983 of 2026

Arising Out of PS. Case No.-39 Year-2022 Thana- BHADHWAR District- Gaya

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Muneshwar Mahto @ Mungeshwar Yd, S/o Baudh Mahto, R/o Village -
Bichali Tand, P.S - Bhadawar, District – Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioner and the

learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Bhadawar P.S. Case No. 39 of 2022, registered for the offence punishable under Sections 8(b), 18 and 29 of the Narcotic Drugs and Psychotropic Substances Act.

3. Some alleged illegal opium plantation has been destroyed by the staff of the Narcotic Department on 24.12.2022. The FIR has been lodged on 26.12.2022 implicating the petitioner, as he was found to be in the vicinity of the place, where earlier opium was being grown.

4. It is submitted by learned counsel appearing on behalf of the petitioner that from the allegations itself it is obvious that neither the petitioner was there at the time the



alleged opium plantation was discovered and destroyed nor there is any recovery from the petitioner. His subsequent implication is only because he was near the place two days after the occurrence. It is further submitted that similarly situated co-accused, namely, Arjun Yadav has been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 29532 of 2023 dated 14.07.2023. Petitioner claimed clean antecedent.

5. Learned APP for the State has opposed the prayer for bail.

6. In view of aforesaid factual submissions and by taking note of fact as their being no allegation of any recovery from the petitioner and as similarly situated co-accused has already been granted anticipatory bail as mentioned above, accordingly, above named petitioner, who is a man of clean antecedent in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned I/c Sessions Judge-cum-Spl. Judge, NDPS Act, Gaya Ji/concerned Court, where the case is pending in connection with Bhadwar P.S. Case



No. 39 of 2022 subject to the conditions as laid down under
Section 482(2) of the BNSS, with further conditions:-

(i) That one of the bailors will be a
close relative of the petitioner who will give
an affidavit giving genealogy as to how he is
related with the petitioner. The bailor will also
undertake to inform the court if there is any
change in the address of the petitioner.

(ii) That the petitioner will be well
represented on each date and if he fails to do
so on two consecutive dates, his bail bond will
be liable to be cancelled.

(Chandra Shekhar Jha, J)

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