

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32376 of 2026

Arising Out of PS. Case No.-56 Year-2026 Thana- BARACHATTI District- Gaya

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Bajinath Singh Bhokta @ Bajinath Singh son of Late Dwarika Singh Resident
of Village- Phunguniya, P.S.- Barachatty, District- Gaya Ji,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 07-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Barachatti P.S. Case No. 56 of 2026 for the offence under Sections 8(B), 18 and 29 of the NDPS Act.

3. The prosecution case, in brief, is that on 08.02.2026 at about 11:10 AM, a joint team comprising officials of the SSB, Home Products Department, representatives of the Intelligence Bureau and NCB reached the place of occurrence for inspection and verification. During inspection, it was found that illegal opium cultivation was being carried out in the forest area situated near the river bank. Upon measurement and verification, opium cultivation was detected over approximately 1.10 acres of protected forest land falling under Forest Thana



No. 284, notified vide Notification No. C/PF10148/52-23R dated 02.01.1953. The opium plants were identified and confirmed by all members of the raiding team, after which the plants were uprooted. Thereafter, the opium crop was destroyed on the spot by labourers under the supervision of the authorities.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. From perusal of the F.I.R. it appears that local villagers disclosed the name of the accused persons including the present petitioner. Nothing incriminating has been recovered from his conscious possession. Learned counsel further submits that there is general and omnibus allegation against all the accused persons that they are cultivating the opium in their land or the forest land. From perusal of the First Information Report, it transpired that neither any plot no. nor Khata no. of the land in question has been mentioned which disclosed that the said land belongs to this petitioner. A statement has been made in para 3 that petitioner has clean antecedent.

5. Learned APP opposes the prayer for bail.

6. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of



arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Gaya Ji, in connection with Barachatti P.S. Case No. 56 of 2026 subject to the conditions as laid down under Section 482 of B.N.S.S., as also with the condition that one of the bailors should be close relative of the petitioner.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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