

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36758 of 2026

Arising Out of PS. Case No.-23 Year-2025 Thana- DHANGAI District- Gaya

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1. Rajesh Kumar S/O Karu Yadav R/O Village- Chordaha, P.S- Dhangai, District- Gaya.
 2. Mahendra Manjhi S/O Baleshar Manjhi R/O Village- Chordaha, P.S- Dhangai, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-06-2026 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Dhangai P.S. Case No. 23 of 2025 registered for the offences punishable under Sections 8, 15, 18(c) and 25 of the NDPS Act.

3. As per the allegation made in the FIR, a team was constituted for the destruction of cultivated opium plant in *Chordaha* reserved forest land and accordingly 5.36 acres of illegal cultivation of opium were destroyed over different plots. A sample of opium plant was recovered and seizure list was prepared accordingly. It is further alleged that accused/petitioners along with other co-accused persons, who belong to another place, were suspected to be engaged in illegal



cultivation of opium.

4. Learned counsel appearing on behalf of the petitioners submits that the alleged place of occurrence, where the opium plant were cultivated, is in the forest area. The petitioners are the simple farmers of their villages and they have no concern at all with the said forest land or premises or any cultivation of opium plant in the said area. The forest area is heavily guarded by the forest officers, but since the illegal cultivation of poppy came to the knowledge of general-public, the petitioners were made accused merely on the basis of suspicion in the present case by the informant. The informant is a Forest Range Officer and he has not named any forest officials, after being informed that the poppy plants were being cultivated in the forest area, as it appears from the FIR. It is submitted that similarly situated co-accused has already granted anticipatory bail by learned Co-ordinate Bench through Cr. Misc. No. 87034 of 2025 dated 28.01.2026 and as such petitioners also deserves bail on the ground of parity. Petitioners claimed clean antecedents.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of fact as allegation made in FIR regarding



involvement in the alleged offence of cultivation of poppy plants in the forest area appears suspicious, where no recovery has been made from the house of the petitioners, coupled with fact the petitioners have been made accused in the present case prima-facie on the basis of suspicion, accordingly both above-named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM-cum Special Judge NDPS Act, Gayaji/concerned Court, where the case is pending in connection with Dhangai P.S. Case No. 23 of 2025, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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