IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72974 of 2026

CNR No. BRHC011059382026

Arising Out of PS. Case No.-1160 Year-2022 Thana- BARACHATTI District- Gaya

==========

Shankar Bhuiya Son of Chandra Bhuiya Resident of Village- Badki Chapi, P.S.- Barachatti, District- Gaya,

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Arun Kumar Singh

==========

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 23-11-2026 Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Barachatti P.S. Case no.1160 of 2022 registered for the offence punishable under sections 8(b), 18 and 29 of the NDPS Act.

3. As per the prosecution case, the informant states that opium plantation done on 8.7 acres of land was destroyed. Out of the same, 7.8 acres was on forest land while .9 acres was on non forest land. The informant further states that some persons were seen moving around the place of plantation in a suspicious condition. Seeing the officials they managed to escape. The villagers identified the four named accused persons including the petitioner herein as the persons who had managed

WEB COPY

to escape.

4. Learned counsel for the petitioner submits that the petitioner who has no criminal antecedent and has been falsely implicated in the case because of village politics. The case of the petitioner stands on a similar footing to that of co- accused Sakaldev Yadav who has been enlarged on anticipatory bail vide order dated 25.9.2024 passed in Cr. Misc. no.58325 of 2024 and also Santosh Singh @ Santosh Kumar, who has been enlarged on anticipatory bail vide ordered dated 05.06.2025 passed in Cr. Misc. No. 58415 of 2024. The petitioner undertakes to cooperate in the case/trial.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the petitioner not having been arrested at the spot, there being no material to connect the petitioner with the land in question where the opium plantation is said to have been carried out, grant of bail to similarly situated co-accused vide aforesaid order dated 25.9.2024 and 05.06.2025. Moreover, the petitioner is not having any criminal antecedent, it is directed that the petitioner above named, in the event of his arrest or surrender before the

WEB COPY

learned Court below within a period of four weeks, be released on anticipatory bail in connection with Barachatti P.S. Case no.1160 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, NDPS Act, Gaya.

(Ashok Kumar Pandey, J)

Jagdish/-

U		T	

WEB COPY