

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79207 of 2025

Arising Out of PS. Case No.-10 Year-2023 Thana- BHADHWAR District- Gaya

1. Nand Kishore Yadav S/O Ram Murat Yadav R/o Village- Tandwa, P.S.- Bhadwar, Distt.- Gayaji
2. Surendra Kumar Yadav S/O Ramdev Yadav R/o Village- Tandwa, P.S.- Bhadwar, Distt.- Gayaji
3. Alok Yadav @ Alok Kumar Yadav S/O Sardar Yadav R/o Village- Tandwa, P.S.- Bhadwar, Distt.- Gayaji

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Narayan Jamuar

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in a case
registered under Section 8(b), 18, 29 of the N.D.P.S. Act.

3. The case of the prosecution is that the opium
plantation was being done on 18.3 acres of land of the forest
area.

4. Learned counsel for the petitioners submits that the
first information report itself would reveal that the petitioner has
been made an accused on the basis of suspicion and the role of
the forest officers would also not be beyond question as in any
such case of plantation being done in the said area the



connivance cannot be ruled out. It has further been submitted that the allegation of the accused persons trying to flee away are all false and concocted. Further, similarly situated co-accused persons have already been granted anticipatory bail by coordinate Benches of this Court vide order dated 24.09.2025 in Cr. Misc. No.67881 of 2025 and the order dated 19.11.2025 passed in Cr. Misc. No. 74856 of 2025.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground that the petitioner no. 1 and 2 have one more criminal antecedent. However, it has been responded that the same is not under any provisions of the N.D.P.S. Act.

6. Taking into consideration the facts and circumstances and also considering the fact that the entire FIR has been lodged only on the basis of suspicion and other similarly situated co-accused have already been granted bail, let the above named petitioners, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bhaddwar P.S. Case no.10 of 2023 on 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 Court



below where the case is pending subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023, subject to the conditions:

- (i) The petitioner would cooperate in the investigation/ trial.
- (ii) One of the bailors will be a family member/close relative.

(Soni Shrivastava, J)

devendra/-

U		T	
---	--	---	--

