

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2683 of 2026

Arising Out of PS. Case No.-43 Year-2025 Thana- Geedha District- Bhojpur

1. Pappu Singh @ Sushil Kumar Singh S/o Late Birendra Pratap Singh @ Lalan Singh Resident of -Khesarahiya, P.S - Gidha, District - Bhojpur (Arrah)
2. Lal Babu Singh @ Bhanu Pratap Singh S/o Late Mahendra Prasad Singh @ Mahendra Singh Resident of - Khesarahiya, P.S - Gidha, District - Bhojpur (Arrah)
3. Rinku Singh @ Dinesh Kumar Singh S/o Late Kamta Prasad Singh Resident of - Khesarahiya, P.S - Gidha, District - Bhojpur (Arrah)
4. Bhuwan Singh @ Rajeshwar Singh S/o Late Paras Nath Singh Resident of - Khesarahiya, P.S - Gidha, District - Bhojpur (Arrah)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Verma, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 01-04-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in Gidha P.S. Case No. 43 of 2025 dated 15-02-2025, registered under Sections 8(b) and 18(b) of the NDPS Act.

3. The prosecution case, in brief, is that during routine patrolling, the police received secret information regarding illegal poppy cultivation. On the basis of such information, a raid was conducted and poppy plants were found on seven plots of land.



4.Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. It is further submitted that the land, in-question, where the alleged illegal cultivation took place is ancestral property of the petitioners and is not partitioned. The said land is registered in the name of the petitioners' grandfather. The petitioners are living with their parents separately from his grandfather and have no concern with the land in-question from where the opium flowers are alleged to have been seized. It is further submitted that the seizure list does not disclose the number of poppy plants or the estimated quantity of the crop, and as such, it cannot be determined whether the alleged recovery falls within the category of small quantity or commercial quantity, although there is an assertion in the FIR to the effect that the cultivation was carried out on a small plot of land. It is further submitted that the FIR does not disclose or specify the area of the said plot. Further submission is that co-accused, namely Satyadev Singh @ Sintu @ Sintu Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 19.03.2026 passed in Cr. Misc. No. 86063 of 2025. Lastly, it is submitted that the petitioners are in custody since 18.08.2025 and have no criminal antecedents.



5. Learned Additional Public Prosecutor for the State
has opposed the prayer.

6. Having considered the facts and circumstances of
the case and submissions of learned counsel for the parties, let
the petitioners be released on bail upon furnishing bail bonds of
Rs.10,000/- (ten thousand) each with two sureties of the like
amount each to the satisfaction of the learned Special Judge
NDPS-cum-Sessions Judge, Bhojpur at Arrah in connection
with Gidha P.S. Case No. 43 of 2025.

7. The application stands allowed.

(Khatim Reza, J)

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