

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A.No. 14472 of 2021**

Somari Bhuiyan Petitioner
Versus
The State of Jharkhand Opp. Party

CORAM: HON'BLE MR. JUSTICE SUBHASH CHAND

For the petitioner : Mr. Abhay Kr. Chaturvedy, Advocate
For the State : Mr. Ravi Prakash, Spl.P.P.

02/ 23.12.2021 This bail application is on behalf of applicant Somari Bhuiyan with a prayer to release him on bail in case crime being Bashisth Nagar P.S. Case No. 11 of 2020, (District- Chatra), registered for the offence under Section 18 of the Narcotic Drugs & Psychotropic Substances Act.

Learned counsel for the applicant has submitted that the First Information Report of this Case was lodged against six named accused persons and 4 to 5 unknown persons with the allegation that the accused persons were engaged in cultivating opium plant in 5 Acres of forest land, after having encroached the same. It is further submitted that this First Information Report was lodged on the basis of vague information and the applicant was neither apprehended at the spot nor any incriminating article was recovered from his possession and there is no evidence against the applicant in regard to cultivating the opium plant, except the secret information against the named accused and unknown persons also. It is also submitted that the applicant has been languishing in jail since 14.09.2021.

Learned Spl.P.P. appearing on behalf of the State has vehemently opposed the contention made by the learned counsel for the applicant and contended that the opium plant was being cultivated by the applicant along with other co-accused and the cultivated crops were destroyed and some plants were sent for sampling and it was found that the crops, which were being cultivated, were opium.

In view of the submissions made and considering the materials available on record this bail application is allowed. Let the applicant, namely, Somari Bhuiyan, be released on bail on

2.

furnishing bail bond of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge (NDPS), Chatra, in connection with Bashisth Nagar P.S. Case No. 11 of 2020.

(Subhash Chand, J.)

A.K.Verma/Rajnish/