

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12283 of 2015

Arising Out of PS.Case No. -19 Year- 2014 Thana -KHAGARIA GRP CASE District- KHAGARIA

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1. Rajendra Yadav @ Rajo Yadav Son of Late Sito Yadav Resident of
Village-Khutiya, P.S.-Mansi, District-Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Binod Kumar (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 27-05-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is custody since 17.08.2014 in connection
with Mansi Rail P.S. Case No. 19/14 registered for the offences
punishable under Sections 20/22 of the Narcotic Drugs and
Psychotropic Substance Act.

Learned counsel for the petitioner submits that the alleged
recovery of Ganja was made not from his conscious possession
rather it was recovered from a wooden counter of a shop and it has
been stated that the said shop was being run by this petitioner.

Learned counsel for the petitioner further submits that it is
his first offence and even if it is to be considered that the recovery
of Ganja was made from his conscious possession then, it is below
the commercial quantity as it is only 15 Kg. He further submits

that the present case is one of the false implications as one Naresh Yadav, the witness, in whose presence seizurelist was prepared in the present case has also registered another case against him on the same date being Mansi P.S. Case No. 158 of 2014 under Sections 341, 323, 379, 386, 405, 406/34 of the Indian Penal Code.

Considering the nature of allegation and the period of custody and also the fact that both the cases were registered on same date, let the petitioner Rajendra Yadav be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Khagaria, in connection with Mansi Rail P.S. Case No. 19/14.

(Anjana Mishra, J)

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