

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18950 of 2016

Arising Out of PS.Case No. -96 Year- 2015 Thana -JAMALPUR District- DARBHANGA

Binod Yadav, S/O- Chandeshwar Yadav R/V- Bhandaria, P.S.- Jamalpur,
Dist.- Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

03/ 24-05-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is languishing in custody since 29.01.2016 in a case registered for the offences punishable under Sections 20 & 22 of the NDPS Act.

The prosecution case is that the police during vehicle check intercepted a motorcycle when the motorcycle driver escaped from the scene but from the motorcycle 14 kgs. Ganja were recovered.

It is submitted by learned senior counsel for the petitioner that, though, the vehicle in question is registered in the name of the petitioner but it was being driven by his relative namely, Ram Pravesh Yadav and an affidavit has

been sworn and filed by the wife of Ram Pravesh Yadav, namely, Chano Devi to the effect that her husband Ram Pravesh Yadav took motorcycle from the relative on the alleged date of occurrence and when Ram Pravesh Yadav went to bring registration papers, in the meantime, police took the vehicle to the police station. It is further submitted that the petitioner has no criminal antecedent, statement to that effect has been made in paragraph 3 of the petition.

Considering the quantity of recovery and the motorcycle registered in the name of the petitioner, this Court is not inclined to grant bail to the petitioner in connection with G.O. Case No. 15 of 2015 arising out of Jamalpur P.S. Case No. 96 of 2015 pending in the court of learned Special Judge –cum- Sessions Judge, Darbhanga.

Accordingly, the prayer for bail of the petitioner is rejected for the present. However, the petitioner may renew the prayer for bail after remaining in custody for one year.

(Dinesh Kumar Singh, J)

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