

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41923 of 2017

Arising Out of PS.Case No. -204 Year- 2017 Thana -BARACHATTI District- GAYA

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1. Vijay Yadav Son of Bigan Yadav resident of Village- Dhanawa, Police
Station- Barachatti, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Barachatti P.S.
Case No. 204 of 2017 for offences punishable under Sections
18/22 of the NDPS Act.

The prosecution case, as lodged by the police personnel
is that on secret information, the house of co-accused Murari
Prasad Keshari was raided and from his house 20 kg. Doda and 1
Kg. opium, kept in a plastic bag, was recovered and accordingly, a
seizure list was prepared. Co-accused Murari Prasad Keshari has
stated that petitioner had supplied the contraband items to him.

It has been submitted by the learned counsel for the
petitioner that he is innocent, he was not apprehended and his
name surfaced on the basis of statement of apprehended co-



accused. Thereafter the house of the petitioner was searched but nothing has been recovered either from the house or from his possession, he bears no criminal antecedent and that he is not involved in sale or purchase of contraband items and is in custody since 08.05.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail **after completion of six months in custody** on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Gaya, (N.D.P.S.), in connection with Barachatti P.S. Case No. 204 of 2017 subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the



prosecution will be at liberty to move the court below for
cancellation of his bail bonds.

(Nilu Agrawal, J)

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