

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39820 of 2017**

Arising Out of PS.Case No. -34 Year- 2017 Thana -JOGBANI District- ARRARIA

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Pradeep Yadav Son of Laxmi Yadav Resident of Village- Indra Nagar,  
Tikuliya Basti ward No. 10, Police Station- Jogbani, District- Araria.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Nityanand Tiwary, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      23-08-2017                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

Petitioner seeks bail in connection with Special Case  
No. 08 of 2017 corresponding to Jogbani P.S. Case No. 34 of 2017  
registered for the offence punishable under Sections 272 and 273  
of the Indian Penal Code, Sections 30(g), 38(i) of the Bihar  
Prohibition and Excise Act, 2016, Sections 63 and 64 of the Copy  
Right Act, Sections 27(b)(a), 28 read with Section 36 AC of the  
Drugs and Cosmetics Act and Section 20 and 22 of the N.D.P.S.  
Act.

The prosecution case is, as lodged by the police  
personnel, is that huge quantity of prohibited drugs were found in



the house of one Anil Sah and his son Amit Kumar Sah, who disclosed the name of the petitioner as supplier.

It has been submitted by the learned counsel for the petitioner that he is innocent, has not been arrested by the police and confessional statement before the police by the co-accused has no evidentiary value in the eye of law. He submits that nothing has been recovered from his conscious possession and the said co-accused from whose house, the said drugs were recovered have been granted the privilege of bail by coordinate Benches of this Court in Cr. Misc. No. 28377 of 2017 on 07.07.2017 and Cr. Misc. No. 34516 of 2017 on 28.07.2017. He submits that although two more cases are pending against him, but they are of different nature.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record and that other co-accused have been granted the privilege of bail and that petitioner is in custody since 05.06.2017, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the



learned Sessions Judge-cum- Special Judge, Araria in connection with Special Case No. 08 of 2017 corresponding to Jogbani P.S. Case No. 34 of 2017, subject to the condition that both the bailors would be close relative of the petitioner.

**(Nilu Agrawal, J.)**

Arjun/-

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