

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.59065 of 2017

Arising Out of PS.Case No. -502 Year- 2017 Thana -MADHEPURA District- MADHEPURA

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Gopal Yadav S/o Late Chaturi Yadav @ Late Chatur Yadav, R/o Village-
Gamhariya (Bajinathpur), P.S.- Sour Bazar, District- Saharasa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Kumar Singh, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-12-2017 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Special Case No. 14 of 2017 CIS No. 14 of 2017 arising out of
Madhepura P. S. Case No. 502 of 2017 instituted for the offence
punishable under Sections 20,22 of the N. D. P. S. Act and 30 (a)
of the Bihar Excise Prohibition Amendment Act, 2016.

The allegation is regarding recovery of 1 kg 400 gram
Ganja from the dikky of Scooty of the petitioner.

Learned counsel for the petitioner submits that the
quantity of Ganja is not a commercial quantity as per schedule of
the Act and the sample of the alleged Ganja has already been sent
to F.S.L. Patna for chemical and forensic Examination but the
police submitted the charge-sheet against the petitioner without



awaiting the report from the Forensic and Science Laboratory, Patna. It is further submitted that the petitioner is suffering from diabetes and he is in ill condition and languishing in custody since 21.07.2017.

Considering the nature of accusation, I deem it fit and appropriate to direct the release of the petitioner. Accordingly, the petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 1, 00,000/- (One lakh) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 1st cum Special Judge, N. D. P. S. Act, Madhepura in connection with Madhepura P. S. Case No. 502 of 2017, in connection with Special Case No. 14 of 2017 CIS No. 14 of 2017 arising out of Madhepura P. S. Case No. 502 of 2017. It is further directed that the petitioner will appear before the concerned police station at 10 A.M. on each Monday of the week for making attendance and failure to appear on two consecutive dates will entail cancellation of privilege of bail granted to the petitioner and the petitioner would be taken into custody forthwith.

It is further directed that the trial be concluded preferably within a period of six months from today.

(Mohit Kumar Shah, J)

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