

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16344 of 2017

Arising Out of PS.Case No. -3 Year- 2016 Thana -RANIYATALAB District- PATNA

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1. SHAILENDRA KUMAR @ SHAILENDRA YADAV, S/o Ramashish Yadav,
2. Rajeshwar Yadav, S/o Late Laldhari Yadav,
Both R/o village - Chihuta, P.S. Rani Talab, District - Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Anant Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 15-06-2017 Heard Sri Dharendra Kumar Sinha, learned counsel

for the petitioners, and Sri Anant Kumar, learned A.P.P.

representing the State.

The petitioners in the present case are apprehending
their arrest in Rani Talab P.S. Case No. 03/2016 and Spl. case No.
01/2016 registered under Sections 20 and 22 of the N.D.P.S. Act.

Learned counsel for the petitioners would submit that
although the allegations against the petitioners are that they had
planted some cannabis plants in the backyard of their house,
however, in the seizure list there is no description of land and no
cogent evidence could be collected by the investigating agency in
course of investigation so far. Learned counsel further submits that



these petitioners have no criminal antecedent and the co-accused Arun Ram has been granted the privilege of anticipatory bail in Cr. Misc. No. 46888/2016 by a co-ordinate bench of this Court.

Earlier case diary was called for in the present case; the learned A.P.P. on perusal of the case diary submits that the description of land from where the seizure has been made has not come in course of investigation.

Considering the facts and circumstances of the case, particularly that no cogent evidence is said to have come in course of investigation so far and the petitioners have no criminal antecedent as also that one of the co-accused has been granted the privilege of anticipatory bail by a co-ordinate bench of this Court, this Court is of the opinion that these petitioners deserve the privilege of anticipatory bail like the co-accused. Accordingly, the petitioners, namely, Shailendra Kumar @ Shailendra Yadav and Rajeshwar Yadav, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J. 1st, Patna in connection with Rani Talab P.S. Case No. 03/2016 and Special Case No. 01/2016,



subject to the conditions under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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