

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26195 of 2017

Arising Out of PS.Case No. -177 Year- 2016 Thana -BARAUNI District- BEGUSARAI

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Chandan Yadav @ Chandan Kumar, Son of Late Khakhnu Yadav,
Resident of Village- Kashha, P.S.- Barauni (Chakiya O.P.), District-
Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 17-08-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
11.11.2016 in connection with Barauni (Chakiya) P.S. Case No.
177 of 2016 registered for the offence punishable under Sections
20 and 22 of the N.D.P.S. Act.

The prosecution case, as lodged by the police
personnel, is that on a secret tip-off that the petitioner along with
other co-accused, Vijay Yadav are trading in narcotics substances
i.e. ganja, a raid was conducted. The petitioner and co-accused,
Vijay Yadav tried to flee away, but were apprehended. On search
from the house, 10 kilograms of ganja was recovered.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and nothing has been recovered from his possession. He submits that co-accused, being his brother, has since been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 5402 of 2017 and allegation is that both the petitioner and co-accused on seeing the police personnel tried to flee away. He submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution witnesses.

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

Considering the facts and circumstances and that similarly situated co-accused has been granted the privilege of bail, 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 Special Judge, N.D.P.S. Act, Begusarai in connection with Barauni (Chakiya) P.S. Case No. 177 of 2016, subject to the condition that both the bailors would be close relative of the petitioner.

(Nilu Agrawal, J.)

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