

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38337 of 2017

Arising Out of PS.Case No. -126 Year- 2017 Thana -AADAPUR District- EASTCHAMPARAN
(MOTIHARI)

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Ramesh Prasad Yadav, Son of Bir Bahadur Yadav, Resident of Village-
Barainiya, P.S.- Kalaiya, District- Bara (Nepal).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ram Sevak Choudhary, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 19-08-2017

Heard learned counsel for the petitioner and State

The petitioner Ramesh Prasad Yadav is accused in
N.D.P.S. Case No. 47 of 2017, arising out of Adapur (Harpur)
P.S. case No. 126 of 2017 for the offences under Section 414 of
the Indian Penal Code and Sections 20, 22, 23 and 24 of the
N.D.P.S., Act.

From perusal of the F.I.R., it appears that 250 gms of
brown sugar was allegedly recovered, but it is not specific in the
F.I.R. that from whose possession the said brown sugar was
recovered, as the informant alleges that on search of Ramesh
Prasad Yadav (Petitioner) and Sonu Kumar Pandit, 250 gms
brown sugar was recovered. The statement on affidavit in para-3



of the petition is that the petitioner has no criminal antecedent.

Having regard to the lack of clarity in the F.I.R. as to the recovery of the alleged brown sugar and the fact that the petitioner has no criminal antecedent, as per his statement on affidavit made in para-3 of the petition, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 50,000/- (fifty thousand) with two sureties of the like amount each to the satisfaction of the Sessions Judge / Special Judge, East Champaran at Motihari in connection with N.D.P.S. Case No. 47 of 2017, arising out of Adapur (Harpur) P.S. case No. 126 of 2017, subject to the condition that both the bailors should be local people, having sufficient means, with the further condition that the petitioner will appear in the court below on each and every date in the proceeding. The court below is directed to expedite the trial and conclude the same expeditiously preferably within a period of four months from today. In the event, any non-cooperation is noticed by the court below, the court below is at liberty to cancel the bail bonds of the petitioner and also proceed against the bailors of the petitioner.

(Anil Kumar Upadhyay, J)

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