

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5256 of 2018

Arising Out of PS.Case No. -164 Year- 2017 Thana -BELDAUR District- KHAGARIA

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Naresh Yadav, Son of Late Kari Yadav, Resident of Village-Pirnagara, P.S.
Beldaur, District-Khagaria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 21-02-2018 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 27.08.2017 in connection with Special Case No.13 of 2017, arising out of Beldaur P.S. Case No.164 of 2017, G.R. No.2458/2017, registered for the offence under Sections 8/20(b)(ii)(B) of the NDPS Act.

Learned counsel for the petitioner submits that the alleged recovery of 7.5 Kg. of *ganja* from Yamaha motorcycle was not from the conscious possession of the petitioner and it is only alleged that he was sitting on the said motorcycle. Learned counsel for the petitioner further submits that the petitioner is having clean antecedents and has been taken into custody on



mere speculation. It is further submitted that a similar situated co-accused Ashok Rai has been extended the privilege of regular bail by this Court in Cr.Misc. No.58821 of 2017, vide order dated 13.12.2017.

In view of the aforementioned facts and circumstances and that the material was recovered from the motorcycle and not from the possession of the petitioner, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, Khagaria, in connection with Special Case No.13 of 2017, arising out of Beldaur P.S. Case No.164 of 2017, G.R. No.2458/2017.

(Anjana Mishra, J)

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