

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40882 of 2018

Arising Out of PS. Case No.-827 Year-2017 Thana- BARACHATTI District- Gaya

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HIRA YADAV @ HIRALAL YADAV Son of Girdhari Yadav Resident of
Village - Kahudag, P.S. - Barachatti, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nikhilesh Kumar

For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Barachatti
P.S. Case No. 827 of 2017 for offences punishable under
Sections 20/22 of the N.D.P.S. Act.

The prosecution case, as lodged by the police
personnel, is that while on patrolling duty they received
information that some persons are carrying contraband items
and apprehended one Rajesh Jatav and from his under-arms 500
gms of ganja was recovered in a plastic bag, who revealed the
name of the petitioner, from whom he had bought the said
contraband item.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history, nothing
has been recovered from his possession and has not been



apprehended by the police. Petitioner is languishing in judicial custody since 22.05.2018.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of six months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge cum Special Judge (N.D.P.S Act), Gaya, in connection with Barachatti P.S. Case No. 827 of 2018, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

Rajesh/Pragya

(Nilu Agrawal, J)

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