

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11871 of 2018

Arising Out of PS.Case No. -474 Year- 2017 Thana -MADHEPURA District- MADHEPURA

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Ram Bilash Yadav, Son of Late Mulay Yadav, Resident of Village-
Bajanpati (Bajjnathpatti), P.S.- Saharsa Sadar, District- Saharsa.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shailendra Kumar Singh, Advocate.

For the Opposite Party : Mr. Dashrath Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 28-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
12.07.2017 in a case for the offence registered under Section 30(a)
of the Bihar Prohibition and Excise Act, 2016 and 20 and 22 of
N.D.P.S. Act.

The prosecution story, in brief, is that total 3½ Kg. of
Ganja is said to have been recovered.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
Charge sheet/prosecution report has been submitted in the present
case. There is no allegation of tampering with the witnesses
alleged against the petitioner. The petitioner has falsely been



implicated in the present case. It is alleged that total 3½ Kg. of Ganja is recovered from dickey of the motorcycle in question. The recovered Ganja is less than commercial quantity. The petitioner was driving the said motorcycle and one co-accused Mittan Yadav was pillion rider. The name of the petitioner has come on the basis of alleged recovery made from the motorcycle in question. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-1st-cum-Special Judge, N.D.P.S. Act, Madhepura, in connection with Special Case No. 11 of 2017, arising out of Madhepura (Ghailarh O.P.) P.S. Case No. 474 of 2017.

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(Sudhir Singh, J)