

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10338 of 2018

Arising Out of PS.Case No. -15 Year- 2017 Thana -BUNIADGANJ District- GAYA

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Jethan Yadav, S/o Gopal Yadav, R/o Village- usari, P.S.- Buniyadganj,
District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar, Advocate.

For the Opposite Party : Mr. Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
05.12.2017 in a case for the offence registered under Sections
30(a) of the Bihar Prohibition and Excise Act, 2016 and 20 of the
N.D.P. S. Act.

The prosecution story, in brief, is that total 14 plants
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 this 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 14 plants of Ganja is recovered from courtyard of abandoned house of the petitioner. The name of the petitioner has come on the basis of alleged recovery made from courtyard of abandoned house of the petitioner. The petitioner had no knowledge regarding the plants of Ganja. There is no compliance of Section 100 Cr. P.C. or 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 In-charge Sessions Judge-cum-Special Judge (NDPS Act), Gaya, in connection with Buniyadganj P.S. Case No. 15 of 2017.

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(Sudhir Singh, J)