

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24603 of 2018

Arising Out of PS.Case No. -5 Year- 2018 Thana -NADI NAINAHA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Basudeo Yadav, son of Bishuni Yadav, Resident of Village- Bagahava, P.S.- Dhanaha, District- West Champaran.
 2. Shambhu Yadav, Son of Late Baji Lal Yadav, Resident of Village- Tunivahara, P.S.- Dhanaha, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra, Advocate

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

3 23-05-2018 Heard learned counsel for the petitioners and learned APP
for the State.

This is a case registered under Sections 20(b) (ii) (B), 22(b)
of the N.D.P.S. Act.

It is submitted by the petitioner's counsel that much less
than commercial quantity i.e. 4 kgs of Ganja has been recovered
from the motorcycle. He submits that the Ganja has not been
recovered from the conscious possession of the petitioners and that
it is a case of false implication as there is total violation of rules
prescribed for seizure. The petitioners have no criminal antecedent
and they are in jail custody since 28.02.2018.



In the facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the petitioners above named be released on bail on their furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **1st Additional District and Sessions Judge cum-Special Judge, Bettiah West Champaran in Nadi P.S. Case No. 5 of 2018** subject to the conditions :

- (i) That one of the bailors will be a close relative of the Petitioners who will give an affidavit giving genealogy as to how he is related with the Petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioners.
- (ii) That the Petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

Prakash/-

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