

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47102 of 2018

Arising Out of PS.Case No. -196 Year- 2018 Thana -FATUHA District- PATNA

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1. Devi Lal Yadav, Son of Doman Yadav, Resident of Loha Ka Pul,
Gulzarbagh, P.S.- Mehandiganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Sharma

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 26-09-2018 The petitioner is in custody since 05.04.2018 in connection with Special Case No. 29 of 2018 (N.D.P.S.) arising out of Fatuha P.S. Case No. 196 of 2018, registered for offences punishable under Sections 8 (C) 20/29 of the N.D.P.S. Act.

Allegation against the petitioner is of recovery of 2 sachets smack from him.

Submission of learned counsel for the petitioner is that he has falsely been implicated in this case and recovery is less than commercial quantity and further submission is that the petitioner has no criminal antecedents and he is in custody since 05.04.2018. It has also been submitted that other co-accused person having similar allegation has been granted bail by a Coordinate Bench of this Court vide order dated 28.06.2018



passed in Cr. Misc. No. 37255 of 2018.

Heard learned A.P.P. also.

Having heard both sides and considering the aforementioned facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Patna, in connection with Special Case No. 29 of 2018 (N.D.P.S.) arising out of Fatuha P.S. Case No. 196 of 2018, with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing



any genuine reasons, the prosecution is
free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

sunil/Amjad/-

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