

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9909 of 2019

Arising Out of PS. Case No.-163 Year-2016 Thana- MIRGANJ District- Gopalganj

ACHHAI KUMAR YADAV Son of Rajendra Yadav Resident of Village -
Bigahi, Bairisaal, PS- Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjana

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody in connection with
Mirganj P.S. Case No. 163 of 2016 (Trial No. 17 of 2018),
registered for the offence punishable under Sections 399, 402,
414 of the Indian Penal Code, and Section 25 (i) (B), (a), 26, 35
of Arms Act and Section 20 & 22 of NDPS Act.

Learned counsel for the petitioner submits that
nothing was recovered from the possession of the petitioner. He
further submits that the name of the petitioner was disclosed by
the co-accused, who was apprehended by the police. He further
submits that in the instant case total 03 Kg. 800 gm of Ganja
was recovered which is less than commercial quantity. He next
contended that petitioner is in custody since 17.12.2018.



Considering the fact that petitioner has not been apprehended by the police on the spot and nothing was recovered from his possession, the court is inclined to grant bail to the petitioner. Let, the petitioner named above be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Learned 1st Additional District and Sessions Judge-cum- Special Judge, NDPS Act, Gopalganj, in connection with Mirganj P.S. Case No. 163 of 2016 (Trial No. 17 of 2018), subject to the condition that one of the bailors should be elected representative of the local body.

(Anil Kumar Upadhyay, J)

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