

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79398 of 2018

Arising Out of PS. Case No.-612 Year-2018 Thana- BANKA District- Banka

1. Fucho Yadav, S/o Kailash Yadav
2. Kailash Yadav, S/o Late Ramphal Yadav
3. Raju Yadav, S/o Kailash Yadav Petitioner no. 1 and 2 Resident of village- Jogdiha, P.S.- Banka, District.- Banka. Petitioner No.3 Resident of vilalge- Begusarai, P.S and District.-Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, adv.
For the Opposite Party/s : Mr.Sri Ajay Kumar Jha (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 25-02-2019 Heard learned counsel for petitioners and

learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Banka P.S. Case No. 612 of 2018, (G.R. No. 3035 of 2018) a registered for the offences punishable under Sections 20(b)(II)(C), 25, 29 of N.D.P.S. Act.

Informant has alleged that 05.09.2018 he received a secret information thereafter he along with



other police personnel proceeded toward the house of petitioner Kailash Yadav where one C.T. Honda car standing and on seeing police party one person who was seated on the place of driver started fleeing away who was apprehended by the police party, on query and after search the vehicle C.T. Honda Car, 26 packets of Ganja which was wrapped in the plastic paper weighing 63 Kg 550 grms. were recovered. Petitioner no.1 and petitioner no. 3 is son of petitioner no.2 and were present together when they were apprehended.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case due to village politics. The alleged Ganja was not recovered from the conscious possession of the petitioners. Petitioners have no criminal antecedent and are in custody since 06.09.2018.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail at this stage. Hence, the prayer for bail of the petitioners is hereby rejected.

Trial court is directed to expedite and



conclude trial within a period of one year from the date of
receipt/production of a copy of this order.

(S. Kumar, J)

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