

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17690 of 2020

Arising Out of PS. Case No.-22 Year-2020 Thana- BANKA District- Banka

Vikash Yadav, aged about 40 years, male, son of Late Kamli Yadav, resident of Village-Maheshmara, P.S. Katoria, District- Banka

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Dharendra Kumar, Adv.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-08-2020 Heard learned counsel for the petitioner and learned APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Banka P.S. Case No. 22 of 2020 registered under section 27 of the N.D.P.S. Act.

As per allegation in the FIR, on the date of occurrence, the wife of the petitioner namely, Rekha Devi had gone to meet the petitioner, who was in custody. In course of search at the gate by a lady constable, it is stated that 5 gm of Ganja was recovered from the possession of the aforesaid Rekha Devi.

It is submitted by learned counsel for the petitioner that admittedly even as per the FIR no recovery is said to have



taken place from the petitioner who was in custody and the alleged recovery from the possession of his wife is of 5 gm of ganja, which is a small quantity. The wife of the petitioner has already been granted bail.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the allegation as made in the FIR, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Banka P.S. Case No. 22 of 2020, he shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Session Judge, Banka subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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