

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20872 of 2020

Arising Out of PS. Case No.-75 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

RAJESH KUMAR Son of Late Raghunath Prasad Yadav Resident of Village-
Lalpokhar, P.S.-Sadar Hajipur, District-Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr. Someshwear Dayal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 27-08-2020 As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

Petitioner seeks bail in Hajipur Sadar PS Case No. 75 of 2020 registered under Section 8, 20(b)(ii) (B), 25 and 29 of the NDPS Act.

The prosecution case is that the petitioner along with another co-accused was chased while he was moving on a motorcycle. He was intercepted and there is allegation of recovery of 500 gm. Ganja from the joint possession of the two persons.

Learned Counsel for the petitioner submits that it is a case of false implication and that he has no criminal antecedent. Nothing



has been recovered from the conscious possession and the recovery is also not in accordance with law.

Learned APP submits that having been apprehended with prohibited substance the petitioner is not entitled to bail.

Considering the rival submissions and the fact that the petitioner is in custody since 4.2.2020 the prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge, Vaishali in Sadar Hajipur PS Case No. 75 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

SNkumar/-

U		T	
---	--	---	--

