

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21943 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- BUDDHACOLONY District- Patna

ROCKY YADAV Son of Lalit Kumar Resident of Post Office Road,
Punaichak, P.S.- Shastri Nagar, District- Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Union of India.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kulanand Jha
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

At the outset, the learned counsel for the petitioner undertakes to remove all the defects, as pointed out by the stamp reporter, within a period of four weeks of resumption of normal physical functioning of the Court including resumption of physical filing.

Heard the learned counsel for the petitioner and Mr. Ashok Kumar, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Budha Colony P.S. Case No. 23 of 2020, Spl. Case No. 20/20



for the offence punishable under Sections 21(a)/ 21(b)/25/29 of N.D.P.S. Act.

The informant and police force are stated to have apprehended the petitioner and other accused persons, while they were on patrolling duty and as far as the petitioner is concerned, 11 grams of smack is alleged to have been recovered from his possession.

The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and is languishing in custody since 22.01.2020. It is further submitted that similarly situated co-accused persons have already been granted the privilege of bail vide orders dated 19.05.2020 and 25.06.2020 passed in Cr. Misc. No. 19100 of 2020, Cr. Misc. No. 19594 of 2020 and Cr. Misc. No. 20909 of 2020, respectively.

The learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioner and taking into account the parity of the case of the petitioner with that of the co-accused persons, who have already been granted the privilege of bail by co-



ordinate Benches of this Court, I deem it fit and proper to direct for the release of the petitioner on regular bail.

Accordingly, the petitioner, above-named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S., Patna in connection with Budha Colony P.S. Case No. 23 of 2020, Spl. Case No. 20 of 2020.

(Mohit Kumar Shah, J)

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