

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.25503 of 2020**

Arising Out of PS. Case No.-5 Year-2020 Thana- VALMIKINAGAR District- West
Champaran

VINOD YADAV S/o Amar Yadav Resident of Village-Bairagi Sonbarsa, P.S-
Chiutaha, District-West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1, Advocate

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 01-10-2020 Learned counsel for the petitioner undertakes to
remove all the defects pointed out by the Stamp Reporter within
three weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Umesh Lal Verma, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Valmiki Nagar P.S. Case 5 of 2020 for
the offences punishable under Sections 20 and 22 of the
N.D.P.S. Act.

Learned counsel for the petitioner submits that from
the FIR it appears that two bags in which 8kg ganja were
allegedly kept have been found by police in course of raid. The
three persons who have been named in the First Information
Report were allegedly coming with those two bags when they
were arrested. The two co-accused have already been granted



regular bail by a learned Co-ordinate Bench of this Court in Cri. Misc. No. 22917 of 2020 on 15.09.2020 and in Cri. Misc. No. 24248 of 2020 on 23.06.2020. It is, thus, submitted that the petitioner being similarly situated and the quantity of ganja are less than the commercial quantity and there being several discrepancies and violations of the safeguards provided to the accused in the cases under the Narcotic Drugs and Psychotropic Substances Act, the petitioner deserves the privilege of regular bail.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner but it has not been controverted that two similarly situated co-accused have been granted privilege of regular bail in the aforesaid application.

Having regard to the facts and circumstances of the case, the quantity of ganja are less than the commercial quantity and similarly situated co-accused having been released on bail, let the petitioner above named be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, West Champaran Bettiah in connection with Valmiki Nagar P.S. Case 5 of 2020, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the



conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, or the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

