

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25507 of 2020

Arising Out of PS. Case No.-158 Year-2020 Thana- GOPALGANJ TOWN District-
Gopalganj

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YOGENDRA THAKUR S/o Dinanath Thakur Resident of Village-Jhajhawa,
P.S.-Manjhagarh, District-Gopalganj-841427 (Bihar).

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Aryan Sinha, Advocate
For the Opposite Party/s : Mr. Abhay Kumar No. 1, APP.

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 28-09-2020 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.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Gopalganj Nagar PS Case No. 158 of 2020, Trial No. 06 of 2020 of registered under Sections 399, 402 and 414 of the IPC, Section 25(1-b)a, 26, 35 of the Arms Act and Section 8(c) and 21(a) of NDPS Act.

Acting on one secret information regarding assembly of



six-seven persons near shop of Gauri Sah under suspicious circumstances the police party came to the spot. Four persons including the petitioner were apprehended. From the petitioner it is alleged that total 4 grams smack in seven small pockets have been recovered.

The petitioner is in custody since 8.3.2020. It is submitted by learned counsel for the petitioner that charge-sheet has been submitted. Recovery is of very small quantity and there is no FSL report till date certifying the recovered substance to be smack. The petitioner has no criminal antecedent. Co-accused Arif Ali, from whom 3 grams smack was recovered and had one antecedent has been enlarged on bail in Cr. Misc. No. 22714 of 2020.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, 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 Additional District and Sessions Judge I, Gopalganj in Gopalganj Nagar PS Case No. 158 of 2020, Trial No. 06 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.

SNkumar/-

(Madhuresh Prasad, J)

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