

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34982 of 2020

Arising Out of PS. Case No.-168 Year-2020 Thana- UCHKAGAON District- Gopalganj

RANJAN YADAV S/o Bhairo Yadav R/o- Village- Kukurbhuka, P.S.-
Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar .

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Pandey

For the Opposite Party/s : Mrs. Anita Kumari Singh, ASPP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-12-2020 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.

Heard the learned counsel for the petitioner and Mrs. Anita Kumari Singh, the learned A.P.P. appearing for the State.

The petitioner seeks regular bail in connection with Uchkagaon P.S. Case No. 168 of 2020 for the offence punishable under Section 8(C)/ 21(a) of N.D.P.S. Act

The allegation is regarding recovery of 20 sachet, containing smack like substance from the petitioner and upon weighing, it has transpired that the quantity is 5.670 mg.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 29.05.2020. The learned counsel for the petitioner has further submitted that the quantity of smack recovered from the petitioner is much less than the small quantity defined in schedule to the N.D.P.S. Act, 1985, hence benefit of doubt can be given to the petitioner for the purposes of grant of bail.

Per contra, the learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the quantity of smack recovered from the petitioner is much less than the small quantity defined in schedule to the N.D.P.S. Act, 1985, I deem it fit and proper to direct for 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 Sessions Judge-I, Gopalganj in connection with Uchkagaon P.S. Case No. 168 of 2020 (Tr. No.



10 of 2020).

(Mohit Kumar Shah, J)

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