

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83489 of 2019

Arising Out of PS. Case No.-10 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhagalpur

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Mithilesh Yadav, Son of Shankar Yadav, Resident of Village - Mathar, P.S.-
Khagariya Muffasil, Distt.- Khagariya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Union of India through Secretary, Department of Internal Security, Narcotics
Control Bureau, Patna. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.R.P. Baxi, Sr. Advocate
Mr. Rajesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 28-01-2020 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with NCB
No. 10 of 2019 (N.D.P.S. Case No. 07 of 2019) for the offence
under Sections 20/29 of the N.D.P.S. Act.

Learned counsel for the petitioner submits that the
petitioner has got no criminal antecedent and he is in custody
since 29.04.2019. He further submits that the petitioner was
apprehended in this case only on the basis of suspicion, as he
was talking with the driver of the truck carrying the contraband
(Ganja).

Considering the fact that the petitioner has got no
criminal antecedent and he has remained in custody for nearly



nine months, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.1,00,000/- (Rupees one lakh) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bhagalpur in connection with NCB No. 10 of 2019 (N.D.P.S. Case No. 07 of 2019) subject to the condition that the petitioner shall deposit Rs.1,00,000/- (one lakh) cash in the court below and the same shall be abide by the final outcome in the trial i.e. if the petitioner is acquitted the amount of Rs.1,00,000/- shall be refunded in favour of the petitioner, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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