

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73505 of 2019

Arising Out of PS. Case No.-381 Year-2019 Thana- BARACHATTI District- Gaya

Sakaldeo Yadav, S/O Bisheshwar Yadav, Resident of Village - Amba Tari, P.S.
- Chauparan, District - Hazaribagh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 78058 of 2019

Arising Out of PS. Case No.-381 Year-2019 Thana- BARACHATTI District- Gaya

Rajesh Yadav, S/o Tulsi Yadav @ Tulasi Yadav, R/o village- Samangarhi, P.S.-
Tankuppa, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 73505 of 2019)

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Gulnar Begum

(In CRIMINAL MISCELLANEOUS No. 78058 of 2019)

For the Petitioner/s : Mr.Dharmendra Kumar Sinha

For the Opposite Party/s : Mr.Atul Chandra

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 06-03-2020 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners are accused in connection with
N.D.P.S. Case No. 58 of 2019 arising out of Barachatty P.S.
Case No. 381 of 2019 registered under Sections 20 and 22 of the
N.D.P.S. Act.



The accusation is that informant being the Officer-in-Charge of Barachatti Police Station received information to the effect that a truck loaded with tea-leaf is parked at N.H-2 near Maharani Petrol Pump, in which, Ganja was loaded in different bags. Thereafter, informant along with other police personnel reached there then found a truck bearing registration no. WB73W-6491 was parked in southern lane on N.H.2 near Maharani Petrol Pump, on which, truck was intercepted, in which, two persons were found sitting in cabin, who disclosed their names as Rajesh Yadav, driver of the truck and Sakaldeo Yadav. On search of the cabin of the truck, three pockets each containing 25 KG ganja were found concealing in the bags of tea-leaf. On query, Rajesh Yadav (petitioner), driver of the truck, disclosed that at Jahagir turning he was preparing meal at Pintu Yadav Hotal, where one person came and disclosed his name as Narayan Yadav and asked to load three packets of Ganja for unloading at Allahabad and gave Rs.10,000/-.

Learned counsel for the petitioner, Rajesh Yadav (petitioner of Criminal Misc. No. 78058 of 2019) submits that petitioner is simply the driver of the said truck and he has no criminal antecedent and is in custody since 25.08.2019. Learned counsel for the petitioner, Sakaldeo Yadav (petitioner of



Criminal Misc. No. 73505 of 2019) submits that he was boarded on the truck for going to Varanashi, which has come in paragraph 38 of the case diary in the statement of servant of Pintu Yadav Hotal.

Having regard to the facts and the circumstances of the case, Sakaldeo Yadav (petitioner of Criminal Misc. No. 73505 of 2019), is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sessions Judge-cum-Special Judge (N.D.P.S. Act), Gaya, in connection with N.D.P.S. Case No. 58 of 2019 arising out of Barachatty P.S. Case No. 381 of 2019. Out of two sureties, one surety must be the close relative of the petitioner.

So far as petitioner, Rajesh Yadav (petitioner of Criminal Misc. No. 78058 of 2019, is concerned, having considered the facts and circumstances of the case and the nature of allegation against him, I am not inclined to grant bail to the petitioner. Accordingly, his prayer for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

