

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24731 of 2021

Arising Out of PS. Case No.-273 Year-2020 Thana- KHAJEKALA District- Patna

Shivji Kumar @ Shivji Yadav S/O Vijay Yadav R/o village- Ranipur-
Rasulpur, P.S.- Mehdiganj, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr. Damodar Pd. Tiwary A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Special Case No. 135 of 2020, arising out of Khajekalan P.S. Case No. 273 of 2020, registered for the offence under Sections 20/22 of the N.D.P.S. Act.

On a secret information, a raid was conducted and 8 kg. & 800 gm. of *Ganja* has been recovered from the house of co-accused Rohit Kumar and this petitioner is alleged to be associate of the co-accused Rohit Kumar.

It is submitted on behalf of petitioner that nothing has been recovered either from the conscious possession or from the house of the petitioner. Petitioner is maternal uncle of co-accused Rohit Kumar and on the alleged date and time of



occurrence, petitioner had gone to the house of co-accused Rohit Kumar to meet his sister. Petitioner has got clean antecedent and he is in custody since 07.09.2020. Investigation is complete.

Learned A.P.P. for the State has opposed the bail petition.

Considering the rival submissions of the parties and the materials available on record as well as the fact that no narcotic substance has been recovered from the possession of the petitioner and petitioner has got clean antecedent, the bail petition of petitioner is allowed.

Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – XXIV, Patna in connection with Special Case No. 135 of 2020, arising out of Khajekalan P.S. Case No. 273 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the



prosecution will be at liberty to move for
cancellation of bail.”

(Prabhat Kumar Singh, J)

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