

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26601 of 2021

Arising Out of PS. Case No.-944 Year-2019 Thana- AGAMKUAN District- Patna

OM PRAKASH YADAV S/o Late Amakh Yadav R/o village- Nayatola,
Kumhrar, P.S.- Agamkuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mr. Shashank Shekhar, Adv.
For the Opposite Party/s	:	Mr. Jainarayan Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-11-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 20, 22 and 24 of the N.D.P.S. Act, sections 25(1-B)(a), 26 and 35 of the Arms Act and sections 30(k)(kha), 38 and 41 of the Bihar Prohibition and Excise Act.

As per the prosecution case, on secret information having been received and a raid having been conducted, it is stated that 300 gms of ganja, a live cartridge, a katta, cash etc. and 18.75 litres of liquor were recovered from the house of the petitioner. His wife and son were taken into custody.

It is submitted by learned counsel for the petitioner



that no incriminating article has been recovered from his possession. He has been falsely implicated in the case because of his antecedent. His wife and son, who were illegally taken into custody, were enlarged on bail by the learned court below. He is in custody since 21.1.2021 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the petitioner having remained in custody for over 10 months, chargesheet having been submitted in the case and grant of bail to the wife and son of the petitioner, the Court directs the petitioner to be enlarged on bail in connection with Agamkuan P.S. Case no.944 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna.

(Partha Sarthy, J)

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