

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28885 of 2021

Arising Out of PS. Case No.-20 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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RAMADHAR PRASAD YADAV S/O LATE DINANATH PRASAD YADAV
R/o village- Daleya, P.S.- Kuchaikot, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Union of India, Ministry of Home Affairs, Narcotics Control Bureau, Patna
Zonal Unit, Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Upendra Yadav
For the Opposite Party/s :	Mr. Prem Kumar Jha
	Mr. Abhijeet Gautam, AC to ASG
	Mr. Manoj Kumar Singh CGC

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 29-10-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 20, 25, 27A, 29 of the NDPS Act.

Prayer for bail of this petitioner was earlier rejected by this court vide order dated 04.06.2020 passed in Cr. Misc. No. 13974 of 2020 with an observation that looking to the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner for the present.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No narcotic substance has been recovered from the conscious possession of the petitioner and name of petitioner



has surfaced in this case on the basis of confessional statement of co-accused, who were apprehended on the spot and disclosed that recovered Ganja belonged to this petitioner. By order dated 02.09.2021 a report was called for from the court below about the stage of trial which reveals that case is running for prosecution evidence and out of eight witness only one witness has been examined. Petitioner claims clean antecedent and is in custody since 22.10.2019 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner coupled with the fact that petitioner has got no criminal antecedent, let the petitioner, above named, 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 Sessions Judge-cum- Special Judge, East Champaran, Motihari in connection with NDPS case No.71/2019, arising out of Case No. NCB/PZU/V/20/2019.

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(Prabhat Kumar Singh, J)

