

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40020 of 2021**

Arising Out of PS. Case No.-51 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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RAJESH KUMAR YADAV S/o Ram Babu Yadav R/o Village- Fazilpur, P.S.-
Rajapur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha, Advocate
For the Opposite Party/s : Anita Kumari Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 18-11-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 420 and other ancillary sections of the Indian Penal Code and sections 20/22 of the NDPS Act.

As per the prosecution case, on the secret information that this petitioner is engaged in trade of illegal liquor, police searched his house and apprehended him and recovered 5 mobile phones, one Tab, several bank pass books, cheque book, ATM card, cash Rs.5 lacs and two motorcycles from his house. A looted mobile phone and 15 puriyas of Ganja were also recovered from his house.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case and no incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel submits that even the narcotic substance which has been allegedly recovered from the possession of the petitioner has not been weighed and mentioned in the seizure list, as such, in fact no such recovery was made from the possession of the petitioner. He is in custody since 18.1.2021 and charge sheet has already been submitted.

Considering the aforesaid facts and circumstances of the case, the period of custody and as alleged Ganja has not been weighed and mentioned in the seizure list, prayer for bail of the petitioner is allowed. Let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge cum Special Judge Muzaffarpur in Sadar Police Station Case No. 51 of 2021.

(Prabhat Kumar Singh, J)

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