

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36821 of 2020

Arising Out of PS. Case No.-203 Year-2020 Thana- JOGBANI District- Araria

Mahanand Yadav, Son of Ram Briksha Yadav, Resident of Village - Mal
Parasi, Police Station- Sonamani Godam, District- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Jogbani
(Bathnaha) P.S. Case No.203 of 2020, corresponding to Special
Case No.09 of 2020 registered for the offence punishable under
Sections 21, 22, 23 of the N.D.P.S. Act.

975 grams *Ganja* is alleged to have been recovered
from the petitioner and co-accused Raja Ram Roy.

It is submitted by the petitioner's counsel that the
motorcycle belonged to Raja Ram Roy. The petitioner has
falsely been implicated in this case on account of earlier two
cases pending against him under the Bihar Prohibition and
Excise Act. Even, as per the allegation, the recovery is of small
quantity. The petitioner had earlier been accused for the offence



under the NDPS Act and is now in custody since 24.08.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, 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 the learned Sessions Judge, Araria, in connection with Jogbani (Bathnaha) P.S. Case No.203 of 2020, corresponding to Special Case No.09 of 2020, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings



regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

PNM

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

