

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1973 of 2021

Arising Out of PS. Case No.-66 Year-2020 Thana- ADHAOURA District- Kaimur (Bhabua)

Rohin Yadav aged about 42 years Son Of Late Kamta Yadav Resident Of
Village - Badwan Kala , P.S. - Adhaura, District - Kaimur At Bhabua

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr.Anil Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-03-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in a case registered
for the offence punishable under sections 8, 20/22 of the NDPS
Act.

As per the prosecution case, 2.100 kilograms Ganja
was recovered from the house of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. No incriminating material has been recovered from the
conscious possession of the petitioner and the recovery is from
the joint family house. It is further submitted that alleged
recovery is much less than the commercial quantity. Charge
sheet has already been submitted. Petitioner has got clean
antecedent as stated in paragraph 3 of the bail petition.
Petitioner is in custody since 29.08.2020. The mandatory
provision of search and seizure given under



the NDPS Act has not been followed.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned 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 Sessions Judge cum Special Judge Kaimur at Bhabua in NDPS Case No. 31 of 2020/ Kudra Police Station Case No. 66 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her 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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