

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7158 of 2022

Arising Out of PS. Case No.-234 Year-2021 Thana- DURGAWATI District- Kaimur (Bhabua)

RANJAN YADAV S/o Late Bhangi Yadav R/o village- Saryia, P.S.-
Durgawati, District- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate
For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Durgawati P.S. Case No. 234 of 2021 registered for the offence
under Sections 8(c) 20(b)(ii)(B) and 29 of the NDPS Act and
Section 25(1-b)a, 35 and 26 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.10.2021.

The allegation against the petitioner is to have in
possession of illegal firms arms and 3.33 KG contraband i.e.
Ganja.

Learned counsel appearing on behalf of the petitioner



submitted that nothing incriminating recovered from the from conscious physical possession of the petitioner. It has further been submitted that it appears from seizure list that only recovery of mobile was made form the possession of the petitioner. It has further been submitted that petitioner is man of clean antecedent. While concluding the argument, it has been submitted that investigation of this case has been completed, for which, charge-sheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that as per seizure list only mobile is recovered from the possession of the petitioner.

Considering the facts and circumstances as mentioned above, as there is no recovery of illegal fire arms and alleged contraband i.e. Ganja from the conscious physical possession of the petitioner, who is man of clean antecedent coupled with the fact that charge-sheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Durgawati P.S. Case No. 234 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Kaimur at Bhabua,



subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be Santosh Yadav, who is the nephew of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

S.Katyayan/
R.S. Sen/-

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