

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43812 of 2021**

Arising Out of PS. Case No.-54 Year-2021 Thana- JOGBANI District- Araria

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YUGAL KUMAR SAH @ YUGAL SAH @ YUGAL S/o Chhote Lal Sah  
Resident of Village- Neta Jee Chauk, P.S.- Jogbani, District- Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Dr. Indihar Kumari, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

4      11-03-2022                      Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the  
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the  
complete start of the physical Court in normal course.

Petitioner, who is in custody since 21.03.2021, seeks  
regular bail in connection with Spl. Case No. 320 of 2021  
arising out of Jogbani P.S. Case No. 54 of 2021 registered for  
offences punishable under Section 414 of the Indian Penal  
Code, Section 30(a) of the Bihar Prohibition and Excise Act,  
2016 and 27(II)(b)/28 R/W, 36 of Drugs and Cosmetic Act.

Prosecution case, in brief, is that huge quantity of  
intoxicating medicine was recovered from the vehicle. Petitioner  
and one Akash Sah were arrested.



Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather different types of drugs is said to have been recovered from the vehicle of the petitioner. He further submits that petitioner is languishing in judicial custody since 21.03.2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case as well as the period of custody of the petitioner, the Court below is directed to release the petitioner above named on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Spl. Judge, Araria in connection with Spl. Case No. 320 of 2021 arising out of Jogbani P.S. Case No. 54 of 2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

**(Purnendu Singh, J)**

Niraj/-

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