

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49382 of 2021**

Arising Out of PS. Case No.-387 Year-2021 Thana- SUPAUL District- Supaul

MANOJ KUMAR YADAV @ MANOJ KUMAR S/o SHRI RAM
CHANDRA YADAV R/o VILLAGE-RATANPURA, WARD No.8, P.S-
KISHANPUR, DISTRICT-SUPAUL.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Kumar

For the Opposite Party/s : Mr.Md. Aslam Ansari

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

2 15-04-2022

Heard the parties in virtual Court.

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

The petitioner seeks regular bail in connection with N.D.P.S. Special Case No. 05 of 2021 arising out of Supaul P.S. Case No. 387 of 2021 for the offence punishable under Sections 8/20 (b)(ii)(B) of the N.D.P.S. Act.

The prosecution story, in brief, is that 1 Kg of ganja which was rapped in a polythene was recovered from a car in which the petitioner was sitting.

Learned counsel appearing on behalf of the petitioner submits that the quantity of ganja which has been recovered



from the car in which the petitioner was sitting is just small quantity. Petitioner has no criminal antecedent and is in custody since 26.05.2021. There is no allegation of tampering with the evidence or influencing the witnesses.

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

Considering the aforementioned facts and circumstances of the case and period of custody of the petitioner, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge cum Special Judge, N.D.P.S., Supaul in connection with N.D.P.S. Special Case No. 05 of 2021 arising out of Supaul P.S. Case No. 387 of 2021, subject to the following conditions:-

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

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) 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.

(4) 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 bonds.

(Purnendu Singh, J)

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