

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40431 of 2022

Arising Out of PS. Case No.-316 Year-2020 Thana- MANSI District- Khagaria

PAPPU YADAV SON OF KAPILDEO YADAV R/O VILLAGE- MATHAR,
P.S.- KHAGARIA (MUFFASIL), DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-10-2022 Heard Mr. Ranjeet Kumar Singh, learned counsel for

the petitioner and Mr. Bharat Bhushan, learned counsel for the

State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Mansi P.S. Case No. 316 of 2020, G.R. No. 3397/2020 for
the offences under Sections 20(b)(ii)(B) of N.D.P.S. Act.

As per the prosecution story, the police official upon
secret information caught hold of a person riding motorcycle.
He was Dhiraj Yadav and upon search 6kg 500gms. '*ganja*' was
recovered from his conscious possession. He thereafter,
confessed that the same belongs to the accused/petitioner Pappu
Yadav, whereafter he was also taken into custody.



Learned counsel for the petitioner submits that he do not have criminal antecedent, nothing has been recovered from his conscious possession and only on the basis of the confessional statement of Dhiraj Yadav, the police implicated him for which he has already suffered by being in custody since 21.03.2022.

Learned APP, on the other hand, opposes the prayer for bail.

Taking into account the aforesaid facts that the 6kg 500gms '*ganja*' was recovered from Dhiraj Yadav and on his confessional statement, this petitioner was taken into custody, he is in jail since 21.03.2022, charge sheet stands submitted and he do not have criminal antecedent, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 15,000/- (Fifteen Thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge IIIrd, Khagaria in connection with Mansi P.S. Case No. 316 of 2020, G.R. No. 3397/2020, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/Neha/-

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

