

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70109 of 2021**

Arising Out of PS. Case No.-92 Year-2021 Thana- KOTWA District- East Champaran

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RANJAY YADAV @ RANJAY KUMAR Son of Hardeo Rai Resident of
Village- Dipau, P.S.- Kotwa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-05-2022 Heard Mr. Abhishek, learned counsel for the

petitioner and Mr. Md. Matloob Rab, learned APP 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 NDPS Case No. 62 of 2021 arising out of Kotwa P.S. Case
No. 92 of 2021 registered under Sections 399 and 402 of the
Indian Penal Code and Sections 25(1) (B) A and 26 of the Arms
Act and Section 8, 20(b) (ii) (B) of the Narcotic Drugs and
Psychotropic Substances Act.

As per the FIR police upon receiving information

about the presence of accused persons at a particular place
rushed there and it is alleged that while some of them managed

to escape, the other persons were apprehended and countrymade



revolver, cash amount as well as '*charas*' were recovered from them. The arrested persons were Raushan Yadav, Sonu Kumar @ Manoranjan Kumar and Praveen Kumar @ Ayush Kumar, who disclosed that the persons who escaped were Ranjay Yadav @ Ranjay Kumar (the petitioner herein) and Nitesh Kumar.

Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession. He was not arrested at the place of occurrence and his name has been dragged by the accused persons only who were arrested. He is in jail since 03.09.2021 (as stated in paragraph-15 of the bail application). He further submits that as he has no criminal antecedent, his name has been dragged due to local politics.

Considering the fact that the petitioner has not been arrested from the spot, nothing has been recovered from his conscious possession, his name has come in the statement of the accused person and is in jail since 03.09.2021, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge/Special Judge, East Champaran, Motihari in connection with NDPS Case No. 62 of 2021 arising out of Kotwa P.S. Case



No. 92 of 2021, 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 reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

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

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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