

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7763 of 2023

Arising Out of PS. Case No.-43 Year-2022 Thana- GOPALGANJ TOWN District- Gopalganj

BABLOO YADAV, Son of Viresh Yadav @ VIRESH CHAUDHARY
Resident of Sakin-Chhotka Dhamapakad, P.S.- Manjagarhj, District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Srivastava, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-04-2023 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Gopalganj Town P.S.
Case no.43 of 2022 registered under sections 414 and 34 of the
Indian Penal Code and sections 8 and 20(b)(ii) (B) of N.D.P.S.
Act.

3. As per the prosecution case, four accused persons
including the petitioner herein who were on two motorcycles
were stopped for checking. It is stated that 2 kgs Ganja was
recovered from the possession of accused Neeraj Singh.

4. It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. Even



as per the F.I.R. while Anil Sahni and Neeraj Singh were on one motorcycle, Sohail Ali and the petitioner were on another motorcycle. The alleged recovery is from the possession of Neeraj Singh and not the petitioner. The petitioner is in custody since 4.1.2022.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the alleged recovery being from the possession of Niraj Singh and not the petitioner herein, the petitioner being in custody for 1 year 3 months since 4.1.2022 and not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Trial no.5 of 2022 (arising out of Gopalganj Town P.S. Case no.43 of 2022) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-I-cum Special Judge, NDPS, Gopalganj.

(Partha Sarthy, J)

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