

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10309 of 2022

Arising Out of PS. Case No.-150 Year-2019 Thana- AMAS District- Gaya

Dharmendra Yadav Son of Shesh Nath Singh, R/O Village- Niranjapur, P.S.-
Natwar, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Narayan Dubey, Advocate
For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 29-03-2023 This is second attempt by applicant Dharmendra Yadav for getting himself released on bail after rejection of his earlier bail application vide order dated 08.02.2021 by the Coordinate Bench of this Court. He is in custody in connection with Crime No.150 of 2019 registered with Amas Police Station which resulted in registration of NDPS Case No.3 of 2019 / 53 of 2019 for the offences punishable under Sections 8, 20(b)(ii) (c) and 29 of the Narcotics Drugs and Psychotropic Substances Act.

The learned counsel for the applicant argued that the applicant is undergoing pretrial detention from 02.08.2019 and co-accused with identical role is directed to be released on bail by the Coordinate Bench of this Court vide order dated 24.08.2022 in Cr. Misc No.32965 of 2022.



The learned Additional Public Prosecutor opposed the application by contending that huge quantity of Ganja came to be seized from the Bolero vehicle in which the applicant was travelling.

It is not in dispute that co-accused Sonu Pal is directed to be released on bail by order dated 24.08.2022 by the Coordinate Bench of this Court. It is case of the prosecution that the investigating agency had intercepted a four-wheeler vehicle in which said Sonu Pal and applicant Dharmendra Yadav were travelling. Ganja weighing 120Kg came to be seized from that vehicle. Sonu Pal is already directed to be released on bail by the Coordinate Bench of this Court. Evidence against both these persons is identical in nature. The applicant is also undergoing pretrial detention from 02.08.2019. Reportedly, there is no progress in the trial. Hence, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No. 150 of 2019 registered with Amas Police Station giving rise to N.D.P.S. Case No.3 of 2019/53 of 2019 for the offence punishable under Sections 8, 20(b)(ii)(c) and 29 of the Narcotics Drugs and Psychotropic Substances Act, be released on bail on executing P.R. Bond of Rs.50,000/- (Rupees Fifty Thousand) and on



furnishing two sureties of the like amount to the satisfaction of the Trial Court with the following conditions :-

(I) The applicant/accused should cooperate the Trial Court in expeditious disposal of the trial against him.

(II) The applicant/accused should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

(III) The applicant/accused should not tamper prosecution evidence in any manner.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant.

(A. M. Badar, J)

Saurabhkrsinha/
Mkr/-

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