

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21718 of 2023

Arising Out of PS. Case No.-444 Year-2022 Thana- MUNGER MUFFASIL District- Munger

Rabin Yadav, aged about 30 years, Male, S/O Late Bhuto Yadav R/O Village-Farada (Prem Tola), P.S- Nayanagar, Distt.- Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Mufassil P.S. Case No. 444 of 2022 dated 08.10.2022, instituted for the offences punishable under Sections 8/20(b)(ii)(C)/25/29 of the N.D.P.S. Act.

3. The prosecution case, in short, is that the informant got information about the transportation of contraband from Khagaria to Munger. Accordingly, the police started checking and in course of checking, one motorcycle and one Toto van were stopped. On seeing police, two persons riding on the motorcycle started fleeing away. They were caught and 10 kgs *ganja* was recovered from the possession of the petitioner and further 10 kgs *ganja* was recovered from another co-accused



Praveen Prasad from Toto.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel for the petitioner submits that as per the written report two persons were riding one motorcycle and on seeing, the police force both were trying to flee away. On chase, they were caught by the police. On search, alleged *ganja* has been recovered. Learned counsel further submits that nothing has been recovered from the conscious possession of the petitioner. The said *ganja* was recovered from motorcycle which was standing near Krishna Bridge but it was alleged in the F.I.R. that the *ganja* belonged to the petitioner. Petitioner has no concern either with the ganja or with the motorcycle. Lastly, it has been submitted that the petitioner is in custody since 09.12.2022 having no criminal antecedent and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned District Judge, Munger in
connection with Mufassil (Munger) P.S. Case No. 444 of 2022.

(Khatim Reza, J)

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