

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29408 of 2023

Arising Out of PS. Case No.-353 Year-2022 Thana- SAHPUR District- Bhojpur

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Mithilesh Kumar Yadav @ Mithlesh Kumar Yadav Son of Rameshwar Yadav
@ Ran Ishwar Yadav, Resident of village - Gaus Ganj, P.S. - Ara Town, Distt.
- Bhojpur. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
N.D.P.S. Case No.06 of 2023 arising out of Shahpur P.S. Case
No. 353 of 2022 dated 03.10.2022, lodged under Sections 8(c)
& 21(b) of N.D.P.S. Act, 1985.

4. As per prosecution case, the recovery of total 200
gram of heroine from the vehicle bearing Registration No. BR-
03PA-0246 is the subject of present case.

5. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that antecedent of petitioner is clean, he is in custody
since 04.10.2022 and charge sheet has already been filed in this
case. He further submits that the petitioner is alleged to be the
driver of the vehicle. He also submits that in the said recovery

there is gross violation of Section 50 of the N.D.P.S. Act as well as Section 100 of Cr.P.C. He further submits that other co-accused person who has been apprehended with the petitioner has been granted bail by the Co-ordinate Bench of this Court vide order dated 18.05.2023 passed in Cr. Misc No. 18861 of 2023.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XIII-cum-Special Judge (N.D.P.S. Act), Bhojpur at Ara in connection with N.D.P.S. Case No.06 of 2023 arising out of Shahpur P.S. Case No. 353 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C..

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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