

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33550 of 2023

Arising Out of PS. Case No.-39 Year-2023 Thana- BIRPUR District- Supaul

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NARENDRA PRASAD YADAV @ DHALAI s/o Bhola Yadav Resident of
Village- Satanpatti, P.S. Ratanpura, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for bail has been filed by the
petitioner in connection with Birpur (Bhimnagar O.P.) P.S. Case
no. 39 of 2023 instituted for the offence punishable under
Sections 8/20 (b)(ii)(A) of the NDPS Act and Section 9, 49, 51
of the Wild Life Act.

Prosecution case relates to recovery of 610 gram
ganja like substance and horn of deer antler of 250 gram from
the house of the petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has been falsely
implicated in this case. Nothing has been recovered from his
conscious and constructive possession. The alleged quantity is



lesser than the commercial quantity. Provisions of 100 Cr.P.C. has not been followed while preparing the seizure list. So far as deer horn is concerned, the same was brought by his late grandfather for medicinal use and he has no concern with it. Petitioner is languishing in judicial custody since 31.1.2023.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge (NDPS) Supaul in connection with Birpur P.S. Case No. 39 of 2023.

(Sunil Kumar Panwar, J)

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