

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32631 of 2022

Arising Out of PS. Case No.-127 Year-2022 Thana- NAGAR District- Vaishali

PRITHVI YADAV @ PRITHVI CHANDRA YADAV Son of Sharman Yadav
Resident of Village- Mohalla- Naya Tola Jurabganj, P.s.- Kordha, Distt.-
Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anup Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 03-01-2023 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Town P.S. Case No. 127 of 2022 for the offence registered under
Sections 8, 20(b) (ii) (c), 25 and 29 of the N.D.P.S. Act.

The petitioner was apprehended by the police force
and upon search about 3 kg Ganja and a sum of Rs. 2,780/- was
recovered from him.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, he has been falsely implicated in
the present case and he is languishing in custody since
16.02.2022. It is further submitted that though the petitioner is
accused in 2 other criminal cases but he is on bail in one of
them. Lastly, it is submitted that the quantity of Ganja seized



from the petitioner is much less than the commercial quantity defined in the Schedule notified under the provisions of the N.D.P.S. Act, 1985 i.e. 20 kg, hence there is no impediment in granting bail to the petitioner herein.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available in the case diary, this Court finds that the quantity of ganja seized from the petitioner is much less than the commercial quantity specified in the Schedule notified under the provisions of the N.D.P.S. Act, 1985, hence, there is no impediment in granting bail to the petitioner herein, apart from the fact that he is languishing in custody since about 10 months, thus I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-I, Special N.D.P.S. Court, Vaishali at Hajipur, in connection with Town



P.S. Case No. 127 of 2022.

(Mohit Kumar Shah, J)

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