

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66868 of 2023

Arising Out of PS. Case No.-278 Year-2023 Thana- BAHERI District- Darbhanga

RAJA KUMAR YADAV Son of Ram Balak Yadav R/o vill - Matharahi, P.S. -
Baheri, Distt. - Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Baheri P.S. Case No. 278 of 2023 registered on 08.08.2023
lodged under Sections 20(b)(ii)/ B/22 of the N.D.P.S. Act, 1985.

3. As per the prosecution case, F.I.R. has been lodged
against the sole petitioner in whose possession 1.70 Kg of Ganja
has been recovered is the subject matter of this case.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that petitioner
is in custody since 09.08.2023 having clean antecedent.

5. Learned counsel for the State opposes the prayer
for bail and submits that the said Ganja has been recovered from
the possession of the petitioner which is less than commercial



quantity but more than small quantity.

6. 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 Sessions Judge cum Special Judge, Darbhanga, Bihar, in connection with Baheri P.S. Case No. 278 of 2023, subject to the following conditions as well as the subject to the condition laid down under Section 437(3) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

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

(Dr. Anshuman, J)

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