

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65596 of 2022

Arising Out of PS. Case No.-426 Year-2021 Thana- PHULWARIYA District- Gopalganj

NAGENDRA YADAV S/o Bairister Yadav @ Bayristar Yadav R/v- Majirawa
Kala, Tola- Ghuthnaha, P.S.- Phulwariya, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-03-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered under section 20(b) (ii) (c), 25 and 27 of the NDPS Act.

As per the prosecution case, a packet of *charas* weighing 665 grams and a mobile kept in black bag were recovered from the possession of the petitioner.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has submitted that the said contraband is more than small quantity but less than commercial quantity. The petitioner is also accused in 18 more criminal cases and he is on bail in all the cases and out of 18 cases 11 cases are related to Excise Act as stated in para 3 of the bail petition. The petitioner is in custody since 13.11.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Phulwariya P.S. Case No. 426 of 2021, with conditions:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

2. If the petitioner is found involved in any other



criminal case in future, the prosecution will be at liberty to
move for cancellation of his bail bonds.

The application stands allowed.

(Chandra Prakash Singh, J)

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