

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75080 of 2022

Arising Out of PS. Case No.-329 Year-2022 Thana- SULTANGANJ District- Patna

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SOHAN YADAV Son of late Pitambar Yadav @ Pitambar Gope @ Late
Pritam Pyare Yadav R/o Mohalla- Pather-Ki-Maszid, Tekari Road, P.S.-
Sultanganj, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha

For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 8, 20(b)(ii)(A) of the
NDPS Act.

As per allegation in the FIR, three accused namely,
Chandan Kumar, Shyam Kumar Sahni and Kaushal Kumar
Pandey were arrested and on search total 60 grams ganja were
recovered from their joint possession and on interrogation, they
disclosed that they have purchased the seized ganja from
petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. Petitioner was not apprehended on spot. Nothing has been recovered from possession of the petitioner. Allegedly, there is recovery of 60 gm ganja has to be shown from possession of the apprehended accused persons, which comes below the small quantity. Name of the petitioner surfaced in the confessional statement of apprehended accused persons, which has no evidentiary value in the eye of law. He is languishing in judicial custody since 03.11.2022.

The application for bail is opposed by learned APP for the State.

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 Act, Patna in connection with Special Case No. 214 of 2022 arising out of Sultanganj P.S. Case No. 329 of 2022.

(Sunil Kumar Panwar, J)

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