

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13818 of 2024

Arising Out of PS. Case No.-435 Year-2023 Thana- JAYNAGAR District- Madhubani

RAKESH YADAV S/O BECHAN YADAV @ VECHAN YADAV R/O
VILLAGE- SAPTA, P.S- TOWN, DISTT.- MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Bharti, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 12-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Jainagar P.S. Case no.435 of 2023 registered under section 414 of the Indian Penal Code and sections 8 and 20(b)(ii)(b) of the N.D.P.S. Act.

3. As per the prosecution case, the informant states that two accused persons came from Nepal side and waited for sometime. Thereafter, two persons from India side approached them. At this time, the informant and others surrounded the accused and recovered 14.2 kgs of ganja from joint possession of the accused persons.

4. Learned counsel for the petitioner submits that from reading of the contents of the F.I.R. itself, it would be evident that the ganja was being carried by the persons who



came from Nepal side. So far as this petitioner is concerned, he was not amongst those two persons. He is in custody since 25.10.2023 and has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the recovery of the alleged ganja from the person who came from the Nepal side, the quantity recovered being below the commercial quantity, the petitioner being in custody since 25.10.2023, chargesheet having been submitted in the case and the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with Jainagar P.S. Case no.435 of 2023 (G.R. no.77 of 2023) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Madhubani.

(Partha Sarthy, J)

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