

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16096 of 2024**

Arising Out of PS. Case No.-342 Year-2020 Thana- SONO District- Jamui

Devendra Yadav @ D. P Yadav @ Devendar Son of Late Sukhdeo Yadav  
Resident of Village- Darima, P.S.- Khaira, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Umesh Prasad, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

5      19-07-2024                      1. Heard learned counsel for the petitioner and the  
learned APP for the State.

2. Petitioner seeks regular bail in connection with  
N.D.P.S. Case No. 01A of 2021, arising out of Sono  
Charkapathar P.S. Case No. 342 of 2020 dated 26.12.2020  
registered for the offence(s) punishable under Section(s) 147,  
149, 120B of the Indian Penal Code and Section 3/4 Explosive  
Substance Act & Sections 18/21 of N.D.P.S. Act and Sections  
16, 17, 18, 19, 20, 21 and 22 of U.A.P. Act

3. Mr. Umesh Prasad, learned counsel appearing for  
the petitioner submits that though the instant matter relates to  
the recovery of narcotic material, explosive materials and other  
materials relevant to the Naxal activities but the same were  
recovered in following with the statement of co-accused Lakkan



Yadav and the same was made by him in Sono (Charkapathar ) P.S. Case No. 340 of 2020 except this there is no material against this petitioner. In fact, the petitioner has inimical terms with co-accused Lakhan Yadav due to this reason he revealed the petitioner's role in the alleged crime in his confessional statement, however the said statement is not admissible in the eye of law. It is further submitted that the said co-accused Lakhan Yadav has been granted bail by this bench vide order dated 21.09.2022 passed in Cr. Misc. No. 35409 of 2022 and the case of this petitioner stands on better footing as against him there is no material except the confessional statement of Lakhna Yadav. The petitioner has been languishing in jail since 11.08.2023 and against him the investigation has been completed though there are criminal antecedents of 11 cases against him but he has been acquitted in 3 cases and is on bail in rest cases of antecedent and the petitioner had no concern with the alleged seized incriminating materials.

4. Mr. Upendra Kumar, learned APP appearing for the State though opposes the bail prayer of the petitioner but fairly accepts that there is no material against this petitioner except the confessional statement of co-accused Lakhan Yadav who is on bail.



5. Having regard to the above submissions and mainly considering the petitioner’s plea that there is no material against him except the statement of co-accused Lakhan Yadav recorded by him in another case before the police and the said plea has not been refuted by learned APP and also coupled with the fact that the said co-accused is on bail, this court is inclined to accept the bail prayer of the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with N.D.P.S. Case No. 01A of 2021, arising out of Sono Charkapathar P.S. case No. 342 of 2020 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

**(Shailendra Singh, J)**

Rajiv/-

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