

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30404 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- DUMRAO District- Buxar

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Barmeshwar Yadav son of Late Gajanand Yadav village- Dumraon W.No-24,
Ps- Dumraon Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Pravin Kumar, Advocate
		Mr. Kedar Jha, Advocate
For the Opposite Party/s :		Mr. Amitesh Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Dumraon P.S. Case No.
67 of 2024, instituted for the offences under Sections 21, 22 and
27 of the NDPS Act.

3. Prosecution allegation, in short, is that 825 grams
ganja has been recovered from four boxes and the petitioner was
apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for
the petitioner further submits that the recovered contraband is



below the small quantity. The petitioner is in custody since 29.02.2024 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the recovered contraband being below the small quantity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dumraon P.S. Case No. 67 of 2024.

(Rudra Prakash Mishra, J)

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