

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35030 of 2024

Arising Out of PS. Case No.-17 Year-2024 Thana- Raghunathpur District- East Champaran

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Veera Yadav Son Of Chandrika Yadav @ Chandrika Rai Resident Of Village -
Laxmipur Gadariya, P.S. - Raghunathpur, District - East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

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

ORAL ORDER

2 08-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in NDPS case No. 26 of
2024 arising out of Raghunathpur P.S. case No. 17 of 2024
instituted for the offences under Sections 8, 20(b) (ii)(c), 23 and
25 of the N.D.P.S. Act.

3. Prosecution allegation, in short, is that the 157.140
gram ganja was recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is in custody since 22.03.2024 and
has got three criminal antecedents but not of N.D.P.S. Act. No
incriminating material has been recovered from the conscious



possession of the petitioner. The petitioner has got no concern with the recovered contraband. The recovered contraband is under the small quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. 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 period of custody undergone by the petitioner and the recovered contraband under small quantity, 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 NDPS case No. 26 of 2024 arising out of Raghunathpur P.S. case No. 17 of 2024.

(Rudra Prakash Mishra, J)

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