

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35015 of 2024

Arising Out of PS. Case No.-1059 Year-2023 Thana- BARACHATTI District- Gaya

Arvind Yadav @ Arvind Kumar son of Chathuri Yadav Resident of Village-
Tulbul Ps- Rajpur Dist- Chatra Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate

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

**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 Barachatti (Mohanpur)
P.S. case No. 1059 of 2023 instituted for the offences under
Sections 17, 18, 20 and 22 of the N.D.P.S. Act.

3. Prosecution allegation, in short, is that the police
seized 22 kg doda and 600 gram ganja from a Dhaba.

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 13.01.2024 and
has got no criminal antecedent. The petitioner is not named in
the F.I.R. The name of the petitioner has come in course of
investigation at the instance of police. Charge-sheet has been



submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. The recovered contraband is below the commercial 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 below commercial 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 Barachatti (Mohanpur) P.S. case No. 1059 of 2023.

(Rudra Prakash Mishra, J)

Pankaj/-

U		T	
---	--	---	--

