

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 45778 of 2024

Arising Out of PS. Case No.-333 Year-2022 Thana- BELA District- Sitamarhi

Bhola Yadav Son Of Ram Bilash Ray @ Ram Bilash Yadav @ Ram Vilash Rai Resident Of Village - Sundarpur Ward No.7, Police Station - Gaushala, District - Mahotari (Mohtari) (Nepal)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

3 04-10-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Bela P.S. Case No. 333 of 2022, F.I.R. dated 14.12.2022 for the offences punishable under Sections 8, 20(B)(ii)(C), 22(C), and 23(C) of the NDPS Act.

3. This is the second attempt by the petitioner for his bail. Earlier, this Court vide order dated 23.05.2023 in Cr. Misc. No. 25254 of 2023 had dismissed the bail of the petitioner.

4. As per the prosecution case, the recovery is of 10 kg of 'Ganza' from the petitioner.

5. Learned counsel for the petitioner submits that the fresh ground for filing this application is that the similarly situated co-accused, namely, Manoj Kumar Sah and Sikandar @ Sikandar Paswan have been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 36832 of 2023 and Cr. Misc. No.



24400 of 2023 respectively.

6. Learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

7. The petitioner is in custody since 15.12.2022 and he has clean antecedent.

8. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, 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 the learned Special Judge, Sitamarhi in connection with Bela P.S. Case No. 333 of 2022, subject to the condition that:-

(i) The petitioner will mark his attendance at Bela Police Station on first and third Sunday of each month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.

(ii) One of the bailors shall be the close blood relative of the petitioner.

(Sandeep Kumar, J)

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