

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39105 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Shashi Bhushan Yadav s/o Late Brahamdeo Yadav, Resident of Village Ainee
Ward No. 10, P.S.- Bakhtiyarpur (Balwahat OP), District-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate
For the Opposite Party/s : Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
Simri Bakhtiyarpur P.S. Case No.25 of 2024 registered under
Sections 8 and 20(B)IIB of the N.D.P.S. Act.

3. The allegation against the petitioner is that 4 kg of
contraband *ganja* was recovered from the dickey of his
motorcycle when he was apprehended by the patrolling party
near Aini Chowk.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and he has
been falsely implicated in this case on the basis of suspicion.
The recovery of ganja, even if taken to be true, is less than the



commercial quantity. The petitioner is in custody since 24.01.2024 having no criminal antecedent. The charge has already been framed in this case against the petitioner and there is no chance of his absconding or tampering with the evidence.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and the submissions of the parties, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge at Saharsa in connection with Simri Bakhtiyarpur P.S. Case No.25 of 2024 subject to the condition that :

- (i) petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present as directed by the court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(Sunil Dutta Mishra, J)

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