

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51223 of 2024

Arising Out of PS. Case No.-224 Year-2024 Thana- GHORASAHAN District- East
Champaran

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Mohan Prasad Yadav son of Late Ram Bilash Prasad Yadav @ Ram Bilash
Rai Village- Samanpur Ps- Kundwa Chainpur Dist- E.Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Ahmad Ali

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 29-07-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in Ghorasahan (Jharokhar) P.S.
Case No. 224 of 2024 registered for the offence punishable under
Sections-363, 366(A)/34 of the Indian Penal Code and Section-
8/20(b)(ii)(B) of NDPS Act.

3. It is alleged that on the tip off, the informant reached at
the place of occurrence and saw one person coming on a cycle
carrying some goods in a bag from Nepal and when he was asked to
stop, that person tried to flee away but on chase, he was apprehended
who disclosed his name as Mohan Yadav (petitioner). On search, 1.2
kg. Ganja was recovered from the bag.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has committed no offence. The
petitioner has got no criminal antecedent. The petitioner has falsely



been implicated in this case due to party politics. It has further been submitted that the provision of search and seizure was not adopted in the case. The recovered Ganja is less than commercial quantity. The petitioner is in custody since 10-05-2024.

5. Learned APP has opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances and also the fact that the recovered Ganja is less than commercial quantity, the petitioner named above, is directed **to furnish bail bond in the court below after three months from today** and on doing so, the petitioner shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/ Special Judge, East Champaran, Motihari in connection with Ghorasahan (Jharokhar) P.S. Case No. 224 of 2024 with condition that the petitioner shall cooperate with the trial of the case and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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