

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53074 of 2024

Arising Out of PS. Case No.-37 Year-2024 Thana- MADANPUR District- Aurangabad

Yogendra Sao Son Of Late Dhaneshwar Sao Resident Of Village - Tarchuwa
Chakarbandha, P.S. - Chakarbandha, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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

ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Madanpur (Aurangabad) P.S. Case No. 37 of 2024 instituted for the offence under Sections 18(b), 20(B)(ii)C, 22, 29, 8B of the NDPS Act. Earlier anticipatory bail application filed by the petitioner was rejected *vide* order dated 08-05-2024, passed in Cr. Misc. No. 28911 of 2024, which was corrected *vide* order dated 23-05-2024.

3. As per the prosecution case, the accusation against the accused persons including the petitioner is of being indulged in illegal cultivation, selling and buying of opium (poppy).



4. It has been submitted on behalf of the petitioner that the petitioner surrendered in this case on 11-06-2024, as per direction of this Court passed in anticipatory bail application filed by him. Petitioner is a man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Charge sheet has been submitted in this case. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Ajay Bhuiya. He goes on to submit that nothing incriminating has been recovered from the possession of the petitioner. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Other co-accused has been granted bail by this Court *vide* order dated 06-05-2024, passed in Cr. Misc. No. 34763 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity, clean antecedent of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Madanpur
(Aurangabad) P.S. Case No. 37 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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