

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59445 of 2024

Arising Out of PS. Case No.-201 Year-2024 Thana- PALASI District- Araria

Satish Yadav @ Satish Kumar Yadav @ Shatish Kumar Yadav S/o Yogendra
Yadav R/o Village Dhanola, Ward No. 09, Police Station- Palasi, District
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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

ORAL ORDER

3 06-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Palasi
P.S. Case No. 201 of 2024 instituted for the offences under
Sections 8(c), 20(b)(ii)(B) of the N.D.P.S. Act.

3. Prosecution case, in short, is that total 4.2 Kg. *ganja*
has been recovered in this case.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. Petitioner is in
custody since 10.06.2024 and has no criminal antecedent. There
is no allegation of tampering of witnesses alleged against the
petitioner. No contraband has been recovered from the



conscious possession of the petitioner rather the same has been recovered from co-accused persons. The recovered contraband is below commercial quantity, and 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. The co-accused person has already been granted bail by this Bench vide order dated 21.08.2024 passed in Cr. Misc. No. 56976 of 2024.

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, clean antecedent and the fact that no contraband has been recovered from the conscious possession of this petitioner as also the period of custody undergone by the petitioner, 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 Palasi P.S. Case No. 201 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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