

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58404 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

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Angad Prasad Yadav @ Anjgad Prasad Yadav Son of Suresh Prasad Yadav
Resident of Phulaut, Ward No.2, Police Station - Phulaut, District - Madhepura

... .. Petitioner/s

Versus

Narcotics Control Bureau, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Adv. Mr. Mayank Raj, Adv.
For the Opposite Party/s :		Ms, Sharda Kumari, APP
For the U.O.I.	:	Ms. Shail Kumari, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 10-09-2024 Heard learned counsel for the petitioner, learned
counsel for the C.G.C and learned A.P.P for the State.

2. Learned counsel for the C.G.C. has filed the
counter affidavit in Court. Let it be kept on record.

3. The petitioner has preferred this application for
grant of regular bail in connection with N.D.P.S. Case No. 42
2024 arising out of NCB Case No. 06 of 2024 dated 04.04.2024
registered for the offences punishable u/ss 20(b)(ii)(c), 25, 29,
8(c) of the N.D.P.S. Act.

4. As per the prosecution case, total 180 kgs ganja
was recovered from the dicky of the Hyundai Venue Car bearing
Registration No. 11BG 8771.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating article has been recovered from the conscious possession of the petitioner. The name of the petitioner has transpired only on the confessional statement of the co-accused. The petitioner has no concern with the alleged recovery. The petitioner has two antecedents of similar nature as stated in para 3 of the bail petition. The confessional statement has no value in the eye of law. The petitioner is in custody since 04.04.2024.

6. Learned counsel for the C.G.C. and learned A.P.P. for the State have vehemently opposed the bail petition of the petitioner.

7. Learned counsel for the C.G.C. submitted that the CDR details clearly shows that on the date of incident, the petitioner and the co-accused, Chandan Kumar Chaudhary were in constant touch with each other. The petitioner further stated that he was paid about Rs. 70,000/- and Rs. 50,000/- from his mobile number 6202274957 to Chandan Kumar Chaudhary's mobile number 7321093628 through Phone Pay UPI on 27.03.2024 and 01.04.2024 in advance for 180 kgs ganja and the petitioner also stated that consignments of ganja have been



received twice from the co-accused Chandan Kumar Chaudhary.
It is next submitted that the confessional statement has evidentiary value.

8. Considering the aforesaid facts and circumstances of the case as well material available on record, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur in connection with N.D.P.S. Case No. 42 of 2024 arising out of NCB Case No. 06 of 2024, with the condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

9. The application stands allowed.

(Chandra Prakash Singh, J)

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