

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66341 of 2024**

Arising Out of PS. Case No.-72 Year-2024 Thana- KHUTAUNA District- Madhubani

Pradeep Yadav @ Pradeep Kumar Yadav, aged about 32 years, Male, Son of Ramdev Yadav, Resident of Village - Kushmar Naya Tola, P.S. - Khutauna, District – Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                    |   |                                                                             |
|--------------------|---|-----------------------------------------------------------------------------|
| For the Petitioner | : | Mr. Sanjeev Kumar Mishra, Mr. Lokesh Kumar and Mr. Vikash Khanna, Advocates |
| For the U.O.I.     |   | Mr. Bindhyachal Rai, Sr. Panel Counsel.                                     |
| For the State      | : | Mr. Bishweshwar Ram, A.P.P.                                                 |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH**

ORAL ORDER

4      16-12-2024                      Heard learned counsel for the petitioner, learned counsel for the U.O.I. and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with G.R. No. 41 of 2024, arising out of Khutauna P.S. Case No. 72 of 2024 dated 28.05.2024 registered for the offences punishable under Sections 8, 20(b)(ii)(c) of the N.D.P.S. Act.

3. As per the prosecution case, police raided the house of the petitioner and on search, three bags containing 42 kgs., of Ganja was recovered from the semi-constructed house which is situated behind the house (door) of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the



present case. The petitioner is a meritorious student and pursuing his competitive examinations and has passed B.A. (Art) from L.N.M.U. The petitioner has also completed training programme for Entrepreneur under the Chief Minister Yuva Entrepreneur Schemes from 17.06.2022 to 01.07.2022, issued by the District Industry Centre, Government of Bihar, Madhubani and certificates issued to that effect have been annexed as Annexure-P/2 series to the present bail petition. It is further submitted that the recovery of Ganja was not made from the house of the petitioner rather the same has been recovered from the backyard of his house which was open place from all sides. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 29.05.2024.

5. Learned A.P.P. for the State and learned counsel for the U.O.I. have vehemently opposed the prayer for bail petition of the petitioner and have further submitted that 42 kgs., of Ganja was recovered from the semi-constructed house which is situated behind the door of the petitioner as per the seizure list. The said contraband is commercial quantity.

6. Considering the aforesaid facts and circumstances of the case as well as finding substance in the contentions of the



learned A.P.P. for the State as well as U.O.I., and the recovery from the conscious possession of the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with G.R.No. 41 of 2024, arising out of Khutauna P.S. Case No. 72 of 2024, pending in the court of learned Chief Judicial Magistrate, Madhubani.

7. The application stands rejected.

**(Chandra Prakash Singh, J)**

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