

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71443 of 2024

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

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Yougendra Yadav @ Yugendra Yadav S/o Late Kinlal Yadav R/o Village-
Dhantola Ward No.9, P.S.- Palasi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Kumar Ravish, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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

ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. Prosecution allegation, in short, is that there is
recovery of 2.35 Kg of *ganja* from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that the alleged contraband has been recovered from the house of the petitioner and not from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of *ganja*. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 10.06.2024 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court 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, the recovered contraband being below the commercial quantity, the period of custody undergone by the petitioner and claim based on parity, 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)

Rajorshi/-

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