

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73514 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- HUSSAINGANJ District- Siwan

=====

Shailesh Kumar Yadav @ Shailesh Yadav Son of Phulwari Yadav @
Phulwari Yadav Resident of Village and P.O. - Habibnagar, P.S. - Hussainganj,
District - Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Sucheta Yadav

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Hussainganj P.S. Case No. 04 of 2024 dated 04.01.2024 registered for the offences punishable u/s 399, 402, 414 of the Indian Penal Code and Sections 25 (1-B)a, 26, 35 of the Arms Act and Section 8(c), 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, five puriyas of smack like substance, one mobile and Rs. 8600/- in cash were recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The weight of the smack is not confirmed in the seizure list



as per the F.I.R. and the alleged contraband is less than commercial quantity. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged recovery. The co-accused person has already been granted regular bail by this court vide order dated 18.07.2024 passed in Cr. Misc. No. 40669 of 2024. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner and the period of custody, 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, Siwan in connection with Hussainganj P.S. Case No. 04 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

