

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80046 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- Bathnaha District- Araria

Sahdev Kumar Yadav S/O Gautam Kumar Yadav R/O Village- Rampur, P.S. -
Forbisganj , District - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the State : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-11-2024

Heard the parties.

2. The petitioner is in judicial custody in connection with Bathnaha P.S. Case No. 67 of 2024 for the offences punishable under Sections 8/20(b) (II) (B) of the NDPS Act, lodged on 26.06.2024 by the informant, Amar Sang Jadeja.

3. As per the prosecution story, the informant alleged that on secret information, a Baleno car was intercepted and there is recovery/seizure of 17.5 Kilogram *ganja*, this led to the F.I.R., arrest.

4. Learned counsel for the petitioner submits that he does not own the car, was a mere passenger, only because of criminal antecedent, arrested. Further, the recovery/seizure is of 17.5 Kilogram *ganja* which is below the commercial quantity.

5. Learned APP for the State opposes the prayer



submitting that he has criminal antecedent and was present in the car when recovery/seizure has been made.

6. Taking into account the submissions put forward by the parties as also the fact that the same is below the commercial quantity and he does not own the car, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of like amount each to the satisfaction of learned District and Sessions Judge-cum-Special Judge NDPS Act, Araria, in connection with Bathnaha P.S. Case No. 67 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;



(iv) the petitioner shall in now way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

vinayak/-

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

