

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83215 of 2024

Arising Out of PS. Case No.-303 Year-2024 Thana- SABAUR District- Bhagalpur

Shailendra Yadav @ Sailendra Yadav S/o- Late Podin yadav Village-
Sultanpur bhatti, Ps- Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-12-2024

Heard the parties.

2. The petitioner is in custody in connection with Sabour P.S. Case No. 303 of 2024 for the offence punishable under sections 21(a), 22 and 23(a) of the Narcotic Drugs and Psychotropic Substances Act lodged on 24.08.2024 by the informant, Bittu Kumar Kamal.

3. As per the prosecution story, the informant alleged that the Police raided a place near Hanuman Temple and recovered/seized 7 grams of brown sugar wrapped in paper. This led to the FIR.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession, it was lying on the land and attributed to him only because he has criminal antecedent.



5. Learned APP opposes the prayer for bail submitting that Police upon information, has raided and recovered/seized the said material.

6. Taking into account the submissions put forwarded by the parties as also that nothing has been recovered from his conscious possession, in any case, it is below the commercial quantity and is in custody since 25.08.2024 (paragraph-4 of the petition), this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sessions Judge, Bhagalpur, in connection with Sabour P.S. Case No. 303 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/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and 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 one year to mark his attendance;

(iv) the petitioner shall in no 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 his bail bonds.

(Rajiv Roy, J)

Adnan/-

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