

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84102 of 2024

Arising Out of PS. Case No.-352 Year-2024 Thana- JANKINAGAR District- Purnia

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Brajesh Kumar Yadav @ Brajesh Kumar S/O Sri Baijendra Yadav Resident of
Kari Madnal Tola, P.S.- Jankinagar, Dist.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate
Mrs. Bharti Kumari, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-12-2024 Heard Mr. Amit Kumar Anand, learned counsel for
the petitioner duly assisted by Mrs. Bharti Kumari and the State.

2. The petitioner is in custody in connection with
Jankinagar P.S. Case No. 352 of 2024 for the offence punishable
under sections 8(c) and 21(b) of the N.D.P.S. Act lodged on
25.09.2024 by the informant, Santosh Kumar Jha.

3. As per the prosecution story, the Police upon secret
information about purchase and sell of smack, raided the place
and there is recovery/seizure of 8.29 grams of smack from this
petitioner and 1.33 grams from Anil Kumar @ Munna Kumar.
This led to the FIR.

4. Learned counsel for the petitioner submits that he
has no criminal antecedent and only due to enmity, the Police



has implicated him. Further, he has no criminal antecedent and is in custody since 26.09.2024 (paragraph-4 of the petition).

5. Learned APP opposes the prayer for bail submitting that there is recovery of smack.

6. Taking into account the aforesaid facts as also that recovered/seized material is below the commercial quantity, is in custody since 26.09.2024 and have no criminal antecedent, 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 Special Judge (NDPS Act), Purnea, in connection with Jankinagar P.S. Case No. 352 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.

8. Before parting, this Court would like to put on record its words of appreciation for Mrs. Bharti Kumari for the assistance rendered in the matter.

(Rajiv Roy, J)

Adnan/-

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