

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8881 of 2025

Arising Out of PS. Case No.-170 Year-2023 Thana- DINARA District- Rohtas

Shivmuni Yadava S/O Late Indrashan Yadav @ Indrashan Singh Resident of
Vill- Mahrod, P.S.-Natwar, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 18-09-2025 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 Dinara P.S. Case No. 170/2023 dated 23.04.2023 registered for the offence punishable u/s 20(b), (ii)(c)/22/25/27(a)/29 of the N.D.P.S. Act.

3. As per the prosecution case, total 70.369 Kgs. ganja and Rs. 6,50,800/- in cash were recovered from the house of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has further



submitted that the brother of the petitioner Bashisth Yadav @ Bashisth Singh Yadav had separately filed a criminal writ application bearing Token No. Cr. WJC No. 89817/2023 in this Hon'ble Court for release of the amount of Rs. 6,50,800/- which has been seized considering the said amount is of the petitioner which is not the fact but the said amount was of his brother, Bashisth Yadav @ Bashisth Singh Yadav. It is further submitted that the petitioner has no concern with the alleged recovery. As per the Letter No. 37 dated 04.08.2025, it appears that out of six prosecution witnesses, two witnesses have been examined. It is further submitted that there is no likelihood of the conclusion of the trial of the present case in the near future. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.04.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the regular bail application of the petitioner was earlier rejected by this court vide order dated 19.06.2024 passed in Cr. Misc. No. 10913/2024. It is further submitted that the recovery has been made from the house of the petitioner and he was arrested on the spot. It is further submitted that the seized contraband is commercial quantity i.e., 70.369 kgs of *ganja*.

6. Considering the aforesaid facts and circumstances



of the case as well as 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, Rohtas at Sasaram in connection with Dinara P.S. Case No. 170/2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

(ii) The petitioner is directed to cooperate in the trial before the learned court below.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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