

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21540 of 2025

Arising Out of PS. Case No.-149 Year-2024 Thana- MIRGANJ District- Gopalganj

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Baldeo Yadav Son of Tairi Yadav Resident of Village - Kuchaikot, P.S.-
Kuchaikot, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmveer, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Mirganj P.S. Case No. 149 of 2024, registered on 13.04.2024, for the offences punishable under Sections 8, 20(B) (II) (B) and 29 of the N.D.P.S. Act.

3. As per the prosecution, the FIR has been lodged against four named accused persons including the petitioner. Total recovery of 4.5 kg of ganja has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the said ganja was not recovered from the petitioner's possession, rather, at the instance of the police, the petitioner's name was disclosed by the co-accused, who disclosed that her brother-in-law (devar) had purchased 5 kg of



ganja from the petitioner. It is submitted that, solely on the basis of this hearsay statement, the police have named the petitioner in the present case. Counsel also submits that the quantity of ganja involved, i.e., 4.5 kg, is more than the small quantity but less than the commercial quantity. Counsel further submits that the petitioner has no criminal antecedents and is ready to face trial.

5. Learned APP for the State opposes the prayer for bail and submits that the petitioner's name has figured in this case solely on the basis of hearsay evidence.

6. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of District & Addl. Sessions Judge- III, Gopalganj, in connection with Mirganj P.S. Case No. 149 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Aman Kumar/-

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