

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64922 of 2024

Arising Out of PS. Case No.-93 Year-2024 Thana- JOGBANI District- Araria

Surya Narayan Yadav Son Of Late Chhedi Yadav Resident Of Village-
Dharhara, P.S.- Narpatganj, District- Araria

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.V. Giri, Sr. Advocate
Mr. Praveen Kumar Agrawal, Advocate
Mr. Santosh Kumar Singh, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 22-04-2025 Heard learned Senior 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 Jogbani P.S. Case No.
93 of 2024 registered for the offences punishable u/s 20(B)(ii)
(c) of the NDPS Act.

3. As per the prosecution case, the armed guards of
BCP gate Jogbani intercepted a Hundai Car and on search, they
found two persons sitting in the car from which 28 kg of ganja
was recovered behind the back seat of the car. The apprehended
persons disclosed their name as Surya Narayan Yadav
(petitioner) and Gyan Chand Sah.



4. Learned Senior Counsel for the petitioner has submitted that the petitioner has not been found to be in the conscious possession of the said ganja and the same was recovered from the back seat of the car. It is further submitted that neither the ganja which has been seized nor the car in which the said ganja was kept belongs to the petitioner. It is next submitted that the mandatory provisions as enshrined under Section 42 and 57 of the NDPS Act has not been followed. It is lastly submitted that the petitioner has clean antecedent and is in custody since 11.05.2024.

5. Learned APP for the state has vehemently opposed the prayer for bail and has stated that the petitioner has been apprehended while traveling in a car wherein 28 kg of ganja was kept and subsequently seized.

6. Considering the aforesaid submissions of the parties and taking into account the fact that no recovery has been made from the conscious possession of the petitioner who has a clean antecedent, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria, in connection with Jogbani P.S. Case No. 93 of 2024.



7. The application stands allowed.

(Sourendra Pandey, J)

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