

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73993 of 2024

Arising Out of PS. Case No.-184 Year-2023 Thana- SARAI District- Vaishali

Rajkishore Yadaw S/o Mahangu Yadaw R/o Village- Suhiya, P.S.- Shahpur,
District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Economic Offence Unit, Bihar, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Mrityunjay Narain
For the Opposite Party/s : Mr.Md. Matloob Rab

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 31-01-2025 Heard the learned counsel for the parties.

2. The petitioner is seeking regular bail in connection with NDPS No. 38 of 2023 arising out of Sarai P.S. Case No. 184 of 2023, registered for the offences punishable under Sections 20(b) (ii) (B), 23(c) and 27 (B) of the NDPS Act.

3. As per allegation, the police received a secret information that some *ganja* smugglers were coming with *ganja* from Dimapur (Nagaland) by train and they were to supply the same to Ara through Patna. Then, the police official swung into action and conducted raid, but the accused persons on seeing the police personnel started fleeing away. However, they were apprehended with the help of police force and they disclosed



their names as Ritesh Kumar, Raj Kishore Yadav (the petitioner), Rakesh Kumar Singh and Munna Singh. On search, the police personnel recovered 104 kg of *ganja* from the possession of the petitioner and other co-accused persons.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated and made scapegoat in this cases. No incriminating article or contraband was recovered from his possession. He has also submitted that on exactly similar footing, co-accused Rakesh Kumar Singh and Ritesh Kumar have been granted regular bail by this Court in Cr. Misc. Nos. 20232 of 2024 and 55475 of 2024 respectively.

5. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/-, with two sureties of the like amount each, to the satisfaction of learned Additional Sessions Judge, Special Judge, Special Judge of NDPS, Hajipur in connection with Sarai P.S. Case No. 184 of 2023, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of the trial and make himself available on each and every date fixed at the



trial, and if he fails to appear on two consecutive dates, without any reason or unavoidable circumstances, the learned court below shall be at liberty to cancel his bail bonds.

(ii) Before accepting the bail bond, the learned court below shall verify the criminal antecedent of the petitioner and if it is found that he is involved in any other case of similar nature except the present one, his bail bond shall not be accepted.

(Nawneet Kumar Pandey, J)

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