

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37424 of 2026

Arising Out of PS. Case No.-32 Year-2026 Thana- KUCHAIKOTE District- Gopalganj

Janak Yadav Son of Late Khedan Yadav Resident of Village - Shital Bardaha,
P.S.- Kuchaikote, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Shambhawi, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH
ORAL ORDER

3 28-07-2026 Heard Ms. Shambhawi, learned counsel appearing
on behalf of the petitioner and Dr. Mrityunjaya Kumar Gautam,
learned APP for the State.

2. The present application has been filed on behalf of
the petitioner for grant of regular bail in connection with
Kuchaikote P.S. Case No. 32 of 2026, for the offence punishable
under sections 8(c)/20(B)(ii)(c), 23, 25, 29 of the N.D.P.S. Act,
corresponding to Tr. No. 13/2026.

3. As per the prosecution case, the Police conducted
raid on the information received and apprehended two persons
who were trying to fled away on their motorcycle who disclosed
their names as Munna Yadav and Janak Yadav (petitioner) and
on search, police recovered 7.52 Kg. Charas from the possession
of Munna Yadav (co-accused) and 13.78 Kg. Ganja from the
possession of this petitioner and accordingly FIR was instituted.

4. Learned counsel for the petitioner submitted that



the petitioner is innocent and has falsely been implicated in the present case by police only because he refuse to become a witness of seizure list.

5. It has further been submitted that the petitioner is a domestic servant of his co-villager Mukunda Singh and looks after pond and cattles of Mukunda Singh. It is submitted that the petitioner had given information to the police regarding co-accused Munna Yadav upon which the police came there and apprehended Munna Yadav and when petitioner being poor servant, refused to become witness of seizure list, the police arrested him with false allegation.

6. It has further submitted that the above fact was captured in the CCTV footage which was not considered by the court below and submitted that the motorcycle in question which belongs to co-accused Badal Kumar Yadav, this petitioner has nothing to do so.

7. It is submitted that 13.78 Kg. ganja was recovered from the possession of the petitioner is much less than its commercial quantity. Petitioner is in custody since 17.01.2026 having clean antecedent.

8. Learned APP for the State has vehemently opposed the prayer for bail.



9. Considering the facts and circumstances of the case, I am inclined to enlarge the petitioner on bail. The petitioner, above named, is directed to be released 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 Principal District and Sessions Judge, Gopalganj/ concerned court in connection with Kuchaikote P.S. Case No. 32 of 2026, corresponding to Tr. No. 13/2026. subject to following conditions:-

(i) One of the bailors should be family member of the petitioner.

(ii) Petitioner will co-operate in the trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the Court on that date.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

Ranjeet/-

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