

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77875 of 2025

Arising Out of PS. Case No.-39 Year-2025 Thana- HULASGANJ District- Jehanabad

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Surendra Yadav @ Abhay Yadav @ Abhay Kumar, S/o Late Rameshwar
Yadav, R/o Village- Gidarpur, P.S.- Hulasganj, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Kumari Sujata Sinha, Adv.
		Ms. Ragini Kumari, Adv.
For the Opposite Party/s	:	Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 09-01-2026 Heard the learned counsel for the petitioner and the
learned Addl. Public Prosecutor for the State.

2. The petitioner, who is in custody, seeks bail in connection with N.D.P.S. Case No. 11 of 2025, arising out of Hulasganj P.S. Case No. 39 of 2025 registered for the offence(s) punishable under Section(s) 20 and 22 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. As per the prosecution case, on search total 88 green plants of *Ganja* in raw form, totaling around 270.8 Kgs., was recovered from the house and courtyard of Vijay Yadav and Dhananjay Bind.

4. The learned counsel for the petitioner submits



that the petitioner has falsely been implicated in this case and admittedly from the mere perusal of the F.I.R., it would be evident that the recovery has been made from the house of Vijay Yadav and Dhananjay Bind and no recovery of any incriminating article has been made from the conscious possession of the petitioner. It has further been submitted that the similarly situated co-accused persons, namely, Ravindra Yadav, Mahendra Yadav and Nanhaku Yadav have been enlarged on bail by a co-ordinate Bench of this Court vide order dated 22.12.2025 passed in Cr. Misc. No. 82007 of 2025. It has lastly been submitted that the petitioner carries one criminal antecedent against his name but not of similar nature and he is in custody since 30.08.2025.

5. The learned Addl. Public Prosecutor for the State has vehemently opposed the prayer for bail.

6. Regard being had to the facts and circumstances of the case and taking note of the fact that the petitioner has remained in custody since 30.08.2025, let the petitioner, above-named, be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with N.D.P.S.



Case No. 11 of 2025, arising out of Hulasganj P.S. Case No. 39
of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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