

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84574 of 2025

Arising Out of PS. Case No.-185 Year-2025 Thana- LADANIA District- Madhubani

Ajay Kumar Yadav Son of Radhey Yadav Resident of Village- Ladaniya, Chor
Bazaar, P.S.- Ladaniya, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagandeo Yadav, Advocate
Mr. Ravi Prakash, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 05-01-2026 Heard the learned counsel for the petitioner and

learned APP for the State.

2. Petitioner, who is in custody, seeks bail in
connection with Ladaniya P.S. Case No. 185 of 2025, G.R.
No. 46 of 2025 registered for the offences punishable under
Sections 20,22, 23 of the N.D.P.S. Act.

3. As per the prosecution case, the informant has
alleged that he received secret information that one co-
accused Radhey Yadav was concealing ganja in his house
and that he along with his wife were selling the same. On a
raid being conducted, one woman and two men attempted to
flee, however, one was apprehended, who disclosed his

name as Ajay Kumar Yadav (petitioner). On search, two sacks were recovered containing 11 kg and 3.5 kg of ganja, respectively.

4. The learned counsel for the petitioner submits that a bare perusal of the F.I.R. would clearly demonstrate that the allegation of concealment of ganja is against the petitioner's father, namely, co-accused Radhey Yadav and not against the petitioner. It is contended that the petitioner has no connection whatsoever with the alleged recovery as no incriminating article has been recovered from his conscious possession. It is further submitted that the quantity of ganja allegedly recovered is less than the commercial quantity and rigors of Section 37 of the N.D.P.S. Act is not attracted. Lastly, it is submitted that the petitioner has clean antecedents and has remained in judicial custody since 08.06.2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioner, above named, be released on bail on 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 Ladaniya P.S. Case No. 185 of 2025, G.R. No. 46 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 local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

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

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

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of

bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

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

(Sourendra Pandey, J)

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