

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Criminal Appeal (S.J.) No.15 of 2026

Niraj Kumar Yadav

.... **Appellant**

Versus

The State of Jharkhand

.... **Respondent**

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant

: Mr. Karan Pandey, Adv.

Mr. Raunak Kumar, Adv.

For the State

: Mr. Bhola Nath Ojha, A.P.P.

02/Dated: 23rd April, 2026

I.A. No.4536 of 2026

1. The present interlocutory application has been filed on behalf of the appellant for suspension of sentence and grant of ad-interim bail during the pendency of this appeal.

2. Heard learned counsel for the appellant and learned counsel for the State.

3. The appellant has been convicted for the offence under Section 18 of the N.D.P.S. Act and has been sentenced to undergo rigorous imprisonment for five years with a fine of Rs.50,000/- by the learned Sessions Judge-cum-Special Judge, NDPS Act, Chatra in connection with NDPS Case No.106 of 2019 arising out of Itkhori P.S. Case No.52 of 2019.

4. It has been submitted by the learned counsel for the appellant that the material exhibit has never been proceed in the plea that it has been eaten up by rodent. The appellant is in custody from the date of conviction i.e., 08.12.2025. Further, he has relied upon the judgment of the Hon'ble Supreme Court in the case of *Ashok @ Dangra Jaiswal versus State of M.P in Criminal Appeal No.1438 of 2008*. On the above basis, the prayer for bail has been made.

5. On the other hand, learned counsel for the State has opposed the prayer for bail.

6. Considering the fact that the material exhibit has not been exhibited, I am inclined to suspend the sentence and enlarge the appellant on bail during the pendency of this appeal. Accordingly, the appellant named above, is directed to be released on bail, on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, NDPS Act, Chatra in connection with NDPS Case No.106 of 2019, arising out of Itkhori P.S. Case No.52 of 2019, subject to the following

conditions:- (i) The appellant will submit his mobile number before the learned court below which he will always keep active and will not change it during pendency of this case without prior permission of the court. (ii) The appellant will remain present before the Court when the appeal is taken up for hearing, failing which his bail shall be cancelled.

7. In the result, the present interlocutory application stands allowed.

(Rajesh Kumar, J.)

Dated: 23rd April, 2026

Amar/-

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