

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.55274 of 2022**

Arising Out of PS. Case No.-238 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

Bandhan Kumar @ Kismat, Son of Anil Ram, R/V- Gangasaray, P.S-  
Badhaiya, Dist- Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD  
ORAL ORDER**

2      16-12-2022                      Heard learned counsel for the petitioner and Mr.  
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with NDPS Case No.7 of 2021 arising out of Begusarai Town P.S. Case No.238 of 2021 registered for the offences punishable under Sections 25(1-b)a/26/35 of the Arms Act and Sections 20 and 22 of the N.D.P.S. Act. He is in custody since 22.03.2021. He has got four criminal antecedents as stated in paragraph '3' of the application.

Learned counsel for the petitioner submits that as per the prosecution story, the informant police officer on secret information raided the lodge of one Lalan Singh and arrested four persons including this petitioner. From possession of the petitioner four live cartridges and one mobile were recovered. It



is further alleged that on search of the lodge, 1.5 kgs Ganja was recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Learned counsel submits that no contraband article has been recovered from the conscious possession of the petitioner. It is submitted that the petitioner is in custody in connection with this case since 22.03.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the seizure list shows that from the lodge of one Lalan Singh one and half kgs Ganja was recovered, the allegation against the petitioner is that from his possession four live cartridges were recovered and when said lodge was raided by police the petitioner was found sitting there with other co-accused, in connection with this case petitioner has remained in custody since 22.03.2022, investigation against him is complete and in the cases stated in paragraph '3' of the application, he is said to be on bail, this Court directs release of the petitioner above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the



like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, Begusarai in connection with NDPS Case No.07/2021 arising out of Begusarai Town P.S. Case No.238/2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the 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.

The application stands allowed.

**(Rajeev Ranjan Prasad, J)**

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