

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58289 of 2024

Arising Out of PS. Case No.-117 Year-2022 Thana- PUNAURA District- Sitamarhi

SUBODH KUMAR SHRIVASTAVA @ SUBODH KUMAR SRIVASTAVA
@ SUBHODH KUMAR S/o Bashisth Prasad Resident of village - Pakri
Basantpur @ Pakri Basatpur, police station- Riga, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-09-2024 Heard Mr. Ashhar Mustafa, the learned counsel for

the petitioner and Mr. Arun Kumar Singh, the learned

Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody
since 29.05.2022, in connection with Punaura P.S. Case No. 117
of 2022, FIR dated 28.05.2022, registered for the offences
punishable under Sections 414, 420, 467 and 468 of the Indian
Penal Code and Section 8C, 20(b) (ii) (c), 27 (a), 29 and 22 (c)
of the NDPS Act.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in connection with the
present case and as per FIR, altogether 86.3 K.G. ganja have
been recovered from the garage of the petitioner. It is further



submitted that although FSL report has come on 15.04.2023 but without FSL report the prosecution side has filed a charge sheet on 26.07.2022. It is further submitted that co-accused namely, Prem Ranjan Singh has been granted bail vide order dated 29.07.2022 passed in Cr. Misc. No. 42828 of 2022 and co-accused Alok Ranjan has also been granted bail vide order dated 01.03.2024 passed in Cr. Misc. No. 2680 of 2024. Further, the petitioner is in custody since 29.05.2022

6. Considering the aforesaid fact that charge sheet has been submitted without FSL report and the case of the petitioner covered by order/judgment in the case of **Ram Babu Yadav vs. The State of Bihar passed in Cr. Misc. No. 21326 of 2021** and in the case of **Ajit Singh @ Jeeta and Anr. passed in Cr. Revision No. 4659 of 2015**, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge (NDPS Act) cum 2nd Additional Sessions Judge, Sitamarhi in connection with Punaura P.S. Case No. 117 of 2021 subject to the following conditions:

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the



learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(ii). 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.

(iii). And further condition that the learned trial Court 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 learned trial Court 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.

(Rajesh Kumar Verma, J)

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