

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7917 of 2025

Arising Out of PS. Case No.-390 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

Bablu Singh @ Bablu Kumar Son of Bineshwar Singh Resident of Village -
Ama Mahmoodpur, P.S. - Udwantnagar, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-04-2025 Heard Mr. Shiv Prasad Gupta, learned counsel for
the petitioner and Mr. Shantanu Kumar, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
17.01.2022 in connection with Udawantnagar (Gajrajganj O.P.)
P.S. Case No. 390 of 2019 NDPS Case No. 15 of 2019, F.I.R.
dated 10.04.2019 for the offences punishable under Sections 8
(20), (b), (ii), (c) of the N.D.P.S. Act, 1985.

3. Earlier the petitioner has moved before this Hon'ble
Court for grant of regular bail in Cr. Misc. No. 33394 of 2022
but the same was rejected vide order dated 20.09.2022.
Thereafter, the petitioner has again moved in Cr. Misc. No.
43339 of 2023 and the same was also rejected by this Court vide
order dated 09.08.2023. Again, this petitioner has moved before



this Court in Cr. Misc. No. 33056 of 2024 but the same was dismissed as withdrawn vide order dated 21.06.2024.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that there is specific allegation against this petitioner that the recovery has been made from his house and the recovered contraband is more than the commercial quantity. He further submits that the co-accused, namely, Bineshwar Singh @ Bindeshwar Singh who happens to be father of the petitioner has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 08.09.2021 passed in Cr. Misc. No. 28601 of 2021. The petitioner is in custody since 17.01.2022.

5. Vide order dated 14.02.2025 a report was called with regard to the present stage of trial. Report of the learned Trial Court dated 22.02.2025 reveals that out of 10 charge sheet witnesses only 4 witnesses have been examined as yet.

6. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court the trial is not likely to be concluded in the near future and the petitioner is in custody since 17.01.2022 and the co-accused who happens to be father of the petitioner has been granted regular bail by a Co-



ordiante Bench of this Court.

7. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the recovered contraband is more than the commercial quantity.

8. Considering the aforesaid facts and circumstances that the similarly situated co-accused person has been granted bail by a Co-ordinate Bench of this Court, report of the learned Trial Court, period of custody as well as clean antecedent of the petitioner, 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 Sessions Judge, District- Bhojpur in connection with Udawantnagar (Gajrajganj O.P.) P.S. Case No. 390 of 2019 NDPS Case No. 15 of 2019, 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 court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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 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.

(Rajesh Kumar Verma, J)

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