

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7263 of 2025

Arising Out of PS. Case No.-197 Year-2023 Thana- AANDAR District- Siwan

Subodh Kumar @ Subodh Kumar Singh S/o Sushil Singh @ Sushil kumar
singh R/o vill - Piyaaur, P.s.- M.H. Nagar, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 19-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for
the offence punishable under Sections 25(1-B)a, 26 and 35 of
the Arms Act and Sections, 8, 20, 21 and 22 of the NDPS Act.

3. As per allegation in the FIR, it is a case of recovery
of 1.400 grams of ganja from the possession of petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case He next submits that earlier the prayer for bail of this
petitioner was rejected by this Court passed in Cr. Misc. No.
24594 of 2024 with an observation that the “the trial Court is
directed to conclude the trial preferably within a period of six



months from the date of receipt of order. If the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail before the trial Court” but the trial trial is not progress till today. Petitioner is in custody since 28.09.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of the first information report, impugned order dated 07.01.2025 and perusal of the report no.159 but the date is not mentioned in the report by the learned Ist District and Additional Sessions Judge-cum-Additional Judge (SC/ST) POA, Siwan, it appears that the trial is likely to be concluded within eight months and on perusal of the entire report, it is not clear that how many witnesses had been examined till date and recovery of 1.400 kg ganja from the possession of petitioner which is small quantity and petitioner is in custody for more than one and half years, so I am inclined to grant bail to the petitioner.

7. Let the above named petitioner 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 learned District and Additional Sessions Judge-I, Siwan in connection with Andar P.S. Case No. 197 of 2023, subject to the condition



that one of the bailors must be close relative of the petitioner
and petitioner shall remain physically present on each and every
date fixed by the trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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