

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7791 of 2025

Arising Out of PS. Case No.-500 Year-2024 Thana- MURLIGANJ District- Madhepura

Shailendra Kumar S/o Suryanarayan Yadav R/o Vill. - Gamaharia, Ward No. 02, P.S.- Gamaharia, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Murliganj P.S. Case No. 500 of 2024 registered for the alleged offences under Sections 8(c), 21(b) and 22 of Narcotic Drugs and Psychotropic Substances Act.

03. As per prosecution case, police received information about two persons riding on a motorcycle bringing smack for sell. The motorcycle was intercepted and both the persons were apprehended and the petitioner is one of the apprehended persons. From the possession of co-accused, recovery of 16 pouches of smack weighing 11.9 grams was made. From this petitioner, a mobile phone and the motorcycle were seized.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner. The articles seized from the petitioner, which are mobile phone and motorcycle, belong to this petitioner and he is the owner of these articles. Learned counsel further submits that the co-accused took lift and the petitioner was not knowing the fact that the co-accused was carrying the contraband. The petitioner is in custody since 23.11.2024 and charge-sheet has been submitted. The petitioner is having antecedent of one case of different nature and he is on bail in that case.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-



cum-Special Judge, SC/ST, Madhepura in connection with Murliganj P.S. Case No. 500 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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