

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9805 of 2025**

Arising Out of PS. Case No.-425 Year-2023 Thana- KALYANPUR District- East Champaran

Satendra Kumar Yadav @ Bulet Yadav Son of Indradeo Rai @ Indradeo  
Yadav Resident of Village- Bakhari, Bairagi Tola @ Bavagi Tola, P.S.-  
Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate  
For the Opposite Party/s : Mr. Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

5      01-07-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Kalyanpur P.S. Case No. 425 of 2023 instituted for the offences  
under Sections 399, 402, 414 of the Indian Penal Code,  
Sections 8, 20(b)ii(c) of the N.D.P.S. Act and 25(1-b)a, 26, 35 of  
the Arms Act.

3. As per prosecution case, all the FIR named accused  
persons including the petitioner were arrested on the spot, while  
they were assembled to commit loot-pat from the employee of  
the Finance Company. In course of search, one pistol and four



live cartridges were recovered from the petitioner. It is further alleged that three packets of Charas weighing 1.316 Kilogram kept in Jhola has also been recovered from the bag of this petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is in custody since 28.11.2023 and has got nine criminal antecedents. There is no allegation of tampering of witnesses alleged against the petitioner. There is no compliance of Section 42 and 50 of the N.D.P.S. Act. Learned counsel further submits the co-accused person has already been granted bail by this Court vide order dated 14.11.2024 passed in Cr. Misc. No. 80382 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned A.P.P. submits that recovered contraband is above the commercial quantity, hence, there is bar under Section 37 of the N.D.P.S. Act.

6. Considering the aforesaid facts and circumstances of the case and recovery of contraband from the bag of this petitioner which is beyond the commercial quantity coupled with embargo under Section 37 of the N.D.P.S. Act, this Court



is not inclined to grant bail to the petitioner.

7. The prayer is rejected.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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