

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.12348 of 2025

Arising Out of PS. Case No.-510 Year-2024 Thana- ARARIA District- Araria

Lalan Kumar S/O Bhikhari Bhagat R/O Omnagar, Ward No. 08, P.S- Araria,  
Distt.- Araria.

... .. Petitioner/s  
Versus  
The State of Bihar

... .. Opposite Party/s

Appearance :  
For the Petitioner/s : Mr.Gopal Kumar Jha, Adv.  
For the Opposite Party/s : Mr.Anita Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA  
ORAL ORDER

2      07-03-2025      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Araria P.S. Case No. 510 of 2024, registered for the offences under Sections 8(c) and 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, police received information about co-accused Rahul Kumar selling illicit liquor and his house was surrounded and a raid was conducted. The petitioner along with co-accused Rahul Kumar was apprehended from the house of the co-accused and on further search of the house, recovery of ten sachets of smack like substance weighing 11 gram and a digital weighing machine were made.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been



falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner who was just sitting in the house of co-accused Rahul Kumar. Even the recovery of contraband would come under small quantity as the weight has been taken along with the *puriya* in which it was kept. Moreover, this recovery is not from the person or possession of this petitioner who is having no criminal antecedent. The petitioner is in custody since 01.10.2024 and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner and further considering his period of custody and submission of charge sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Principal District & Sessions Judge, Araria/concerned court, in connection with Araria P.S. Case No. 510 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other 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, if so required by the learned trial court.
- (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)**

Anuradha/-

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