

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21735 of 2025

Arising Out of PS. Case No.-38 Year-2024 Thana- JOGBANI District- Araria

Suraj Kumar Sah @ Suraj Kumar S/o Shankar Sah R/O Village- Kalua
Bajjnath Pur, P.O- Pipra, P.S- Jogbani, Distt.- Araria (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha, Advocate.

For the Opposite Party/s : Mr.Bishweshwar Ram, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 23-04-2025 Heard Mr. Nishant Kumar Sinha, learned counsel
appearing on behalf of the petitioner and Mr. Bishweshwar
Ram, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Jogbani (Bathnaha) P.S. Case No. 38 of 2024 registered for
the offence punishable under Sections 8/20(b)(ii)(b) of the
N.D.P.S. Act.

3. Allegation is of recovery of 15 Kg of *ganja* from
three motorcycles bearing Registration Nos. BR 38 AA 6679,
BR 38AA 9246 and BR 38AE8076.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner has been falsely



implicated in the case due to enmity by the apprehended accused. He has no concern either with the seized contraband or its trade. All the three motorcycles from which contraband is said to have been recovered don't belong to the petitioner. The recovered quantity is less than the commercial quantity. The petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made against the petitioner and the fact that the recovered quantity of contraband is less than the commercial quantity, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Principal District and Sessions Judge, Araria in connection with Jogbani (Bathnaha) P.S. Case No. 38 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-



3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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