

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15086 of 2025

Arising Out of PS. Case No.-359 Year-2024 Thana- RAXAUL District- East Champaran

Jayendra Baraili, aged about 30 years, Male, Son of Dhanbahadur Baraili, Resident of Current Address-Naga Road, Ward No 22, Raxaul, PS- Raxaul, Distt.- East Champaran, Permanent address- Village -Khutebar, Ward No. 3, P.S.- SAGRANTI, Distt.- Terathum, (Nepal)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Adarsh Ranjan, Advocate
For the Opposite Party : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Raxaul P.S. Case No. 359 of 2024, (N.D.P.S. G.R. Case No. 87 of 2024) dated 03.10.2024 registered for the offences punishable under Sections 22(c), 23(c) and 29 of the N.D.P.S. Act.

3. As per the prosecution case, police apprehended Ranjit Kumar Rai, Vikash Malik and Jayendra Baraili (petitioner) and from the residential room of Sulabh Shauchalay, one used Syringe and several intoxicant injections i.e., Nu-fin-40 Ml, Diazepam- 40Ml and Phenergan 40 Ml kept in the polythene were recovered. It is further alleged that on disclosure



of the petitioner, several used Syringes were also recovered behind the Sulabh Sauchalaya.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is a vendor of fast-food near the said Sulabh Toilet and on the alleged date of occurrence he went to attend call of nature in the said Sulabh Toilet but in the meantime, police conducted raid and arrested him in confusion. He has no concern either with the alleged offence or with the other co-accused persons. No incriminating article has been recovered from his possession. There is no statutory compliance of Section 105 of the B.N.S.S. and Sections 42, 50 and 57 of the N.D.P.S. Act. The seized contraband is less than commercial quantity. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 04.10.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Sessions Judge/Special Judge, East Champaran, Motihari in connection with Raxaul P.S. Case No. 359 of 2024 (N.D.P.S. G.R. Case No. 87 of 2024).

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

