

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24167 of 2025

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

Rahul Kumar S/o Kapil Chaudhary R/o Village- Omnagar Ward No. 08, P.S.-
Araria, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per prosecution case, a raid was conducted in the house of the petitioner on receiving of information about petitioner selling illicit liquor. The petitioner and co-accused Lalan Kumar were apprehended and from the search of house, recovery of 11 grams smack like substance was made from below the mattress of a bed.

4. 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 the petitioner. The recovered contraband is less than commercial quantity and charge sheet has been submitted in this case without any FSL report. Moreover, the recovered contraband was weighed along with its wrapper in which the same was kept and the weight of the contraband might come below the notified small quantity. Learned counsel further submits that co-accused Lalan Kumar has been granted bail by this Court vide order dated 07.03.2025 passed in Cr. Misc. No. 12348 of 2025. The petitioner is in custody since 02.10.2024 and he is having no criminal antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner, submission of charge sheet and period of custody, 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 Sessions Judge, Araria/concerned Court in connection with Araria Town P.S. Case No. 510 of 2024, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also 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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