

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22785 of 2025

Arising Out of PS. Case No.-303 Year-2023 Thana- MIRGANJ District- Gopalganj

Prince Kumar S/o Late Ashok Prasad R/o Vill- Narainiya, P.S.- Mirganj, Dist-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 13-08-2025 Heard the parties.

2. The petitioner is in custody in connection with Mirganj P.S. Case No. 303 of 2023 for the offence punishable under Sections 399, 402, 414 of the I.P.C, Sections 25(1-b)a, 26, 35 of the Arms Act and 20(b)(ii)(c), 25 and 29 of the NDPS Act lodged on 07.08.2023 by the informant, Vishal Anand.

3. As per the prosecution story, the informant alleged that on secret information, Police took note of two motorcycles, upon interception and search, the recovery/seizure is/are of *charas* from Lakhan Singh and Ravi Sah. So far as this petitioner is concerned, from his pocket there is recovery/seizure of two cartridges of 8 mm. This led to the FIR.

4. Learned counsel for the petitioner submits that he has nothing to do with the recovery/seizure of the *charas*, is a



passer-by, the Police implicated him and brought this two cartridges recovery theory for which he has already remained in custody since 08.08.2023 and if granted bail, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail submitting that there is recovery of cartridges from him and from the accomplice, there is recovery/seizure of *charas*.

6. Taking into account the submission of the parties as also that so far as this petitioner is concerned, *charas* has not been recovered rather two cartridges and he has remained in custody since 08.08.2023, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned 1st Additional Sessions Judge, Gopalganj in connection with Mirganj P.S. Case No. 303 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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