

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24230 of 2025

Arising Out of PS. Case No.-110 Year-2024 Thana- ROSERA District- Samastipur

Chandan Yadav @ Chandan Kumar @ Chandan Kumar Yadav, aged about 24 years, Male, Son of Shankar Yadav, Resident of Village- Bhatwan (Ballahpur), P.S.- Hasanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

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

2. The petitioner seeks bail in connection with Rosera P.S. Case No. 110 of 2024 instituted for the offences punishable under Sections 399, 401, 402 of the Indian Penal Code and Sections 8(c), 21(B), 21(c), 22(c) of the N.D.P.S. Act as well as Sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, on secret information, the police intercepted the accused persons and from their possession smack (brown sugar), country made *katta*, mobile and cash have been recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case merely on the basis of



suspicion. He submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that petitioner is not arrested from the place of occurrence. He further submits that the arrested persons disclosed the name of the petitioner in this case. Petitioner has got five criminal antecedent as stated in para 3 of the petition is in custody since 18.11.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Principal District and Sessions Judge, Samastipur dated 20.02.2025, it appears that petitioner is named in the FIR. From perusal of the records, it appears that on the basis of written report of the informant Aftab Alam, SHO, Police Station Rosera, Sitamarhi, FIR has been registered under Sections 399, 401, 402 of the Indian Penal Code and Sections 8(c), 21(B), 21(c), 22(c) of the N.D.P.S. Act as well as Sections 25(1-B)a, 26 and 35 of the Arms Act against six accused persons including the present petitioner. It also appears that at the time of occurrence two accused persons who were arrested at the spot namely Satyam Kumar and Kanhaiya Kumar and from their possession smack (brown sugar), country made katta, mobile along with cash have been recovered who disclosed the name of the petitioner.



Petitioner is not arrested at the spot and no recovery has been made from the conscious possession of the petitioner is in custody since 18.11.2024, so considering all these aspects of the case and submissions of learned counsel for the petitioner, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Principal District and Sessions Judge, Samastipur in connection with Rosera P.S. Case No. 110 of 2024.

(Ramesh Chand Malviya, J)

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