

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28881 of 2025

Arising Out of PS. Case No.-99 Year-2024 Thana- BAIRGACHHAI District- Araria

Manzar S/o Jamaruddin Resident of village- ward no 04, koshkipur tola -
Rahmatganj, Police station- Baigacchi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-07-2025 Heard Mr. Ramesh Kumar Singh, learned counsel
for the petitioner and Mr. Anil Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Baigachhi P.S. Case No. 99 of 2024, F.I.R.
dated 08.11.2024 for the offences punishable under Sections
21(a), 22 and 23 of the NDPS Act.

3. Recovery is of 7200 pieces of Pyeevon Spas Plus
Tablets.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the
petitioner has not committed any offences as alleged in the



F.I.R. and he has been made accused merely on the ground that he is owner of the motorcycle in question. It appears from the F.I.R that narcotics substance has been recovered from the apprehended co-accused persons, namely, Md. Galib and Samshul Hoda and the name of the petitioner has been transpired on the basis of the disclosure made by the apprehended co-accused persons.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, his name has been transpired on the basis of the disclosure made by the apprehended co-accused persons and the motorcycle in question from where the recovery has been made belongs to the petitioner, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Principle District & Sessions Judge, Araria in connection with Baigachhi P.S. Case No. 99 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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