

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31735 of 2025

Arising Out of PS. Case No.-506 Year-2024 Thana- RAXAUL District- East Champaran

Kundan Prasad Sah Kanu S/o Chandrakishore Prasad Kanu R/o Village-
Kaulia , District- Bara, Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Ranjan, Advocate
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Raxaul P.S. Case No. 506/24 registered for the offences under
Sections 22(B)/29 of NDPS Act.

3. As per the prosecution case, during patrolling duty
the informant got information that few persons were taking
narcotic drugs and the police party raided the place of
occurrence, four persons including the petitioner were
apprehended and one cough syrup along with some narcotic
tablets were recovered from the table kept in the room.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this at
the behest of co-villagers. Learned counsel further submits that



no incriminating material was recovered from the conscious possession of the petitioner. Learned counsel further submits that similarly situated co-accused persons namely Umesh Sah, Arjun Sah and Prem Kumar have been granted bail by a Co-ordinate Bench of this Court vide order dated 23.04.2025 passed in Cr. Misc Nos. 19881/2025 and 21855/2025. It is lastly submitted that the petitioner has clean antecedent and is languishing in custody since 18.12.2024.

5. Learned counsel for the State has opposed the prayer for bail of the petitioner and submits that the petitioner was apprehended with narcotic substance.

6. Considering the aforesaid facts and circumstances of the case and taking into account that the petitioner has clean antecedent and he is in custody since 18.12.2024, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Session Judge/Special Judge, East Champaran, Motihari in connection with Raxaul P.S. Case No. 506/24 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present



in Court on each date of the trial.

- c. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to the cancelled by the Court concerned.
- d. 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 aforementioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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