

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32007 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Giris Yadav @ Gireesh Yadav Son of Dev Narayan Yadav Resident of village
- Shaini Tola Ward No.- 28, P.S.- Simri Bakhtiyarpur, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 21-05-2025 Heard the learned counsel for the petitioner and the

learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Simri Bakhtiyarpur P.S. Case No. 58 of 2025, registered for the
offences punishable under Sections 8, 20(B)II(B) of the
N.D.P.S. Act. Petitioner has clean antecedent.

3. The prosecution case is to the effect that the S.H.O.
Bakhtiyarpur P.S. got a secret information that the petitioner
was the illegal business of corex from the house and a raid was
conducted. It is alleged that from the house of the petitioner
total 1.9 kg of ganja was recovered which was kept beneath the
bed and the petitioner was apprehended.

4. The learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case and no recovery as stated in the FIR has been made from the petitioner. It has also been submitted that admittedly the said recovery was made from the house of the petitioner and the seized quantity is intermediate quantity though larger than the small quantity. The learned counsel further submits that the petitioner carries clean antecedent and he is in custody since 14.02.2025.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that the petitioner was apprehended with 1.9 kg of ganja which is more than the small quantity under the N.D.P.S. Act.

6. Considering the aforesaid submissions made by the respective parties and taking into account that the recovery was not made from the conscious possession of the petitioner and the fact that the petitioner carries clean antecedent, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, 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 court of learned District and Sessions Judge Saharsa, in connection with Simri Bakhtiyarpur P.S. Case No. 58 of 2025, subject to the



following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) 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 be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

(Sourendra Pandey, J)

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