

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35546 of 2025

Arising Out of PS. Case No.-173 Year-2025 Thana- PATNA RAIL P.S. District- Patna

1. Lakhan S/o Balwant R/o Village- Sisai Belan, P.S.- Sadar, Distt.- Hisar (Haryana)
2. Krishna Kumar @ Krishan Kumar S/o Ramfal Resident of Vill.- Sisai Belan, P.S.- Sadar, Distt.- Hisar (Haryana)
3. Rajesh S/o Ray Singh Resident of Vill.- Kalayat, P.S.- Sadar, Distt.- Kaithal (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagmani Kumar, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

4 10-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Patna GRP (Rail Thana) P.S. Case No. 173 of 2025 registered for the offences punishable under Sections 303(2), 317(2), 317(5), 111 and 112 of BNS and Section 20, 22, 24 and 23 of NDPS Act.

3. As per the prosecution story, the informant being a police official has alleged that on 08.03.2025, when he along with other police personnel was on duty at Platform no. 4 of Patna Junction, he received information that a thief gang



consisting 7-8 persons would be getting down from the South Bihar Express. The informant while searching, found seven persons sitting in a suspicious condition on a bench, all carrying backpacks. They disclosed their names as *Rohit Kumar, Baljit, Krishna Kumar, Rajesh, Dipak Kumar, Lakhan* and *Vijay Kumar*. When they were searched, total 07 KGs of *Gaanja* was recovered from the backpack of *Rohit Kumar* and jewellery and other items were recovered from the possession of other accused persons.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged in the F.I.R. all the allegations made against them are false, fabricated and manipulated. The alleged contraband *Gaanja* has not been recovered from the possession of any of the petitioners, rather the same has been recovered from the possession of *Rohit Kumar*. The seizure list and the impugned order also suggest that the contraband has been recovered from the possession of co-accused namely, *Rohit Kumar* and not from the possession of any of the petitioners. All the petitioners are in custody since 09.03.2025 having no criminal antecedent.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioners.



6. Keeping in view the aforesaid facts and considering the period under custody as also the fact that the alleged *Gaanja* has not been recovered from the possession of any of these petitioners, let the petitioners, above named, be released on bail **after framing of charge** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Sessions Judge/Special Judge (NDPS), Patna in connection with Patna GRP (Rail Thana) P.S. Case No. 173 of 2025, subject to the condition that one of the bailor must be the family members of the petitioners.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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