

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33872 of 2025**

Arising Out of PS. Case No.-39 Year-2025 Thana- ALAMGANJ District- Patna

Rahul Kumar S/o Dhelu Sav R/o Mohalla- Bakariya Tola, P.S.- Alamganj,  
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ranjit Prasad, Adv.

For the Opposite Party/s : Mr. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      21-05-2025                      Heard learned Counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest in connection with Alamganj P.S. Case No. 39 of 2025 for the offence registered under sections 8(c), 21(a), 21(b) of NDPS Act lodged on 13.01.2025 by the informant, Pritam Kumar.

3. As per the prosecution story, the informant alleged that the Police upon information, apprehended one Kallu Kumar and upon search, 5.930 gm smack was recovered/seized. He revealed the name of the person who handed over him the smack as this petitioner, which led to the FIR.

4. It is the case of the petitioner that he do not have criminal antecedent, only due to enmity, named. He is ready to abide by all the terms and conditions and if he is found to be



indulged in any such crime again, the present bail order be canceled, if granted relief.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the person who was apprehended, name him.

6. Considering the submissions of the parties, specially paragraph 3 that he do not have criminal antecedent, recovery/seizure is from Kallu Kumar, in that background, this Court is inclined to grant him the anticipatory bail with conditions. However, it is made clear that this will be subject to the satisfaction of the learned Court whether he has criminal antecedent or not and if it is found that he has criminal antecedent, the order shall become infructuous.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Principal District & Sessions Judge/Special Judge (NDPS), Patna in connection with Alamganj P.S. Case No. 39 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family



members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

**(Rajiv Roy, J)**

Vijay Singh/-

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