

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35454 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- Mufassil District- Purnia

Raman Kumar S/o Subhash Chaudhary R/O Village- Sakin Rahta, P.S.-
Kumarkhand, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rasika, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 20-06-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in case registered for the offences punishable under Sections 8(c), 20(b)(ii)(B), 25 and 29 of the N.D.P.S. Act.

3. As per the prosecution case, the informant during patrolling received a secret information that some people were carrying Ganja in a CNG Auto. Subsequently the said auto was intercepted and two persons were apprehended who disclosed their names as Raman Kumar (petitioner) and Diwakar Kumar. It is further alleged that upon search, 11 kg of Ganja was recovered from under the back seat of the said CNG Auto and Rs. 30,000/- and a mobile phone were recovered from the possession of the petitioner.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case and no such recovery as alleged, has been made from the conscious physical possession of the petitioner. It has further been submitted that the petitioner has no concern whatsoever with the recovered Ganja and admittedly the apprehended co-accused Diwakar had disclosed that the said Ganja was given by one Vikash and it was to be delivered to Chandan Kumar. The learned counsel has further submitted that the provisions as enshrined under Section 50 of the NDPS Act has not been complied with. It has also been submitted that the co-accused who was apprehended along with the petitioner namely Diwakar Kumar has already been granted bail vide order dated 28.05.2025 passed in Cr. Misc. No. 33665 of 2025. It has lastly been submitted that the petitioner has clean antecedent and is in custody since 05.02.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that 11 kgs of Ganja was recovered from the CNG Auto on which the petitioner was traveling.

6. Considering the aforesaid submission made by the respective parties and taking into account that the Ganja was



recovered from the Auto and a similarly situated co-accused Diwakar has been enlarged on bail, let the petitioner above-named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Special Case No. 108/2025 arising out of Mufassil P.S. Case No. 28 of 2025, subject to the following 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 and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.
- d. 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.



7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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