

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34834 of 2025

Arising Out of PS. Case No.-302 Year-2024 Thana- MADHUBAN District- East Champaran

Santosh Kumar @ Santosh Prasad S/o Hari Bhagat R/o Village- Bhagwanpur,
PS- Madhuban, Gadhaiya OP, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore @ Kundan Kumar

For the Opposite Party/s : Mr.Md. Matloob Rab

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with N.D.P.S. Case No. 61/2024 arising out of Madhuban (Gadhaiya O.P.) P.S. Case No. 302/2024 dated 24.07.2024 registered for the offence punishable u/ss 8(c), 20 and 22 of the N.D.P.S. Act.

3. As per the prosecution case, total 322 grams of ganja was recovered below the bed of the co-accused, Hari Bhagat and 4.624 kgs of ganja in eight packets was recovered from the Lord Bajrang Bali Temple.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The name of the petitioner has sprung up in this case on mere suspicion. The name of the petitioner has sprung up in the confessional statement of the co-accused, Hari Bhagat. It is further submitted that the seized contraband is less than commercial quantity. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 12.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran in connection with N.D.P.S. Case No. 61/2024 arising out of Madhuban (Gadhैया O.P.) P.S. Case No. 302/2024, with a condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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