

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38809 of 2025

Arising Out of PS. Case No.-288 Year-2024 Thana- SURSAND District- Sitamarhi

Param Kumar @ Pramod Kumar @ Pramod Raut @ Prmod Raut S/o Late
Mahesh Raut Resident of Village- Sursand, Ward No 7, P.S.- Sursand,
District- Sitamarhi Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narain Yadav, Advocate
Mr. Shankar Kumar, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-06-2025 Heard Mr. Surya Naraian Yadav, learned counsel
for the petitioner and the State

2. The petitioner is in judicial custody in connection with Sursand P.S. Case No. 288 of 2024 for the offence punishable under sections 25(1-b)a, 26, 35 of the Arms Act & under Sections 20(B) (II) (B) 29/23(b) NDPS Act.

3. As per the prosecution story, the informant alleged that on information of contraband material coming from the border, a team was formed and intercepted the accused and from the polythene, there is recovery/seizure of one and half kg 'ganja' as also the arms/cartridges. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the seized material is below the commercial quantity and he has remained in custody since 17.06.2024. If granted bail, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer submitting that he



has criminal antecedents.

6. Considering the submissions of the parties as also the period of custody, the seized item is below the commercial quantity, in that background, this Court is inclined to extend him the privilege of bail with conditions. Subject to the petitioner diligently appearing in trial and failure to do so the Trial Court shall take immediate steps for cancellation of his bail bonds

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge NDPS, Sitamarhi in connection with Sursand P.S. Case No. 288 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 till the conclusion of the trial to



mark his 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 his bail bonds.

(Rajiv Roy, J)

Raj Ranjan/-

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