

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.36352 of 2025

Arising Out of PS. Case No.-157 Year-2022 Thana- MURLIGANJ District- Madhepura

Bittu Singh son of Binod Singh village- Murliganj, Ward no. 7 Ps- Murliganj,
Dist- Madhepura Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

Ms. Pooja Prasad, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-06-2025 Heard Mr. Uday Chand Prasad, learned counsel for
the petitioner and Dr. Mirtyunjaya Kr.Gautam, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Murliganj P.S. Case No. 157 of 2022, F.I.R.
dated 02.04.2022 for the offences punishable under Sections 20,
21 and 22 of the NDPS Act.

3. According to prosecution case, 5.62 gram of smack
was found from the possession of the accused persons.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears
from F.I.R as well as seizure list that altogether 5.62 gram of
smack drug was recovered from the apprehended co-accused,
Raju Kumar, Md. Arbaj, Sonu Kumar and Md. Lucky and they
have disclosed the name of the petitioner and other accused
persons. He further submits that the allegation as alleged in the



F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the drug was recovered from the possession of the co-accused persons and they have disclosed the name of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, nothing has been recovered from the conscious possession of the petitioner, name of the petitioner has been transpired on the baiss of the disclosure made by the apprehended co-accused persons and small quantity of contraband was recovered from the possession of the co-accused persons, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge -III, Madhepura in connection with Murliganj P.S. Case No. 157 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of



the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

