

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38934 of 2025

Arising Out of PS. Case No.-190 Year-2024 Thana- BHAPTIAHI District- Supaul

Ram Kumar @ Ramlal Sah Son of Yogendra Sah Resident of Village -
Bagewa, Ward No.- 08, P.S.- Bhaptiyahi, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 15-10-2025 Heard Mr. Pramod Mishra, learned Counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Bhaptiyahi P.S. Case No. 190 of 2024 for the offence registered under sections 8/20(b)(ii)(B) of NDPS Act lodged on 09.08.2024 by the informant, Amit Kumar Shriwastav.

3. As per the prosecution story, the informant alleged that on secret information, the Police reached the house of Hari Narayan Paswan, following the NDPS Act, the search was made and there is recovery/seizure of 18.100 kg '*ganja*'. This led to the FIR. Subsequent investigation brought the petitioner within the ambit of the present case inasmuch as Hari Narayan Paswan recorded his statement that this petitioner is also involved in the said trade.

4. Learned Counsel for the petitioner submits that a



perusal of the FIR would show that information was relating to Hari Narayan Paswan, the place was raided, the recovery made/seized, only on the confession, he has been dragged in the present case. The last submission is that the petitioner do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the person from whom recovery/seizure has been made has named this person.

6. Considering the submissions of the parties as also the fact that alleged recovery/seizure is from the Hari Narayan Paswan, this petitioner has no criminal antecedent, FIR is there, he shall be facing the music, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

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. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Supaul in connection with Bhaptiyahi P.S. Case No. 190 of 2024 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 six months to mark attendance and at the end of the period, the certificate be submitted to the Court;

(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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