

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36753 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Satyam Kumar Son Sri Rudal Singh R/O Village- Khamhar, P.S.- Muffasil,
District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
		Mrs. Vaishnavi Singh, Advocate
		Mr. Ritwik Thakur, Advocate
For the Opposite Party/s :		Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 29-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, under Section 25 (1-B)a and 26 of the Arms Act and Section 8, 20 (b) (II) (A) of the N.D.P.S. Act.

3. Perusal of the first information report and the seizure list would go to show that total 26 liters of country made liquor, 400 gms of Ganja and one country made pistol with a live cartridge is said to have been recovered from a shop (*Gumti*). The key of the said shop was with the petitioner.

4. It is submitted by learned counsel for the petitioner that the police first came to his house but no recovery has been



made from his conscious or physical possession. It is further submitted that the petitioner is neither the owner of the shop nor he has any concern with the seized articles. There is violation of the mandatory provisions of the search and seizure as there is no independent witness to the seizure list. It is further submitted that there is violation of Section 42 and 52 of the N.D.P.S. Act also. So far as the recovery of Ganja is concerned, the same is less than the small quantity. It is also pointed out that the charge-sheet has been submitted in this case. Petitioner has been languishing in custody since 02.02.2025.

5. Learned APP for the State opposes the prayer for bail on the ground that petitioner has four criminal antecedents. However, it is submitted on behalf of the petitioner that out of four, in three cases the petitioner has been acquitted and in fourth case he is on bail.

6. Taking into consideration the fact and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond 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 Muffasil P.S. Case No. 30 of 2025, subject to the condition that:



(i) One of the bailors will be a family member/close relative of the petitioner.

(ii) The petitioner shall remain physically present in court on each and every date during trial till the charges are framed and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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