

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41653 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- HARLAKHI District- Madhubani

Mithun @ Mithun Bhandari S/O Narayan Bhandari @ Shrinarayan Bhandari
Village- Naharniya, PS- Harlakhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 15-10-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Harlakhi P.S. Case No. 10 of 2025 for the offence under sections 20 and 22 of the NDPS Act lodged on 16.01.2025 by the informant, Karnail Chand.

3. As per the prosecution story, the informant alleged that on information, the Police Officer reached the place of occurrence. Two persons, on suspicion, riding on a motorcycle were intercepted. One managed to escape while the other Jimdar Mukhiya was apprehended and after search, 10 kg 100 grams of ‘ganja’ was recovered/seized. He gave the name of the petitioner as the person who escaped. This led to the FIR.

4. Learned counsel for the petitioner submits that admittedly, the recovery/seizure is from Jimdar Mukhiya and



not from his conscious possession, only because he has named the petitioner, got implicated and further has no criminal antecedent.

5. Learned APP opposes the prayer submitting that the person arrested named him.

6. Taking into account the submissions of the parties as also that this petitioner has no criminal antecedent, recovery/seizure is from Jimdar Mukhiya, FIR is there and he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Principal Sessions Judge, Madhubani in connection with Harlakhi P.S. Case No. 10 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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 for one year to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(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)

Adnan/-

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