

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41561 of 2025**

Arising Out of PS. Case No.-87 Year-2025 Thana- SARAI District- Vaishali

Om Prakash S/o Dilip Sah R/o village -Sarai Purani Bazar, P.S - Sarai,  
District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Hemant Kumar, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      09-07-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Sarai P.S. Case No. 87 of 2025 registered on 19.04.2025 for the offences under Sections 8(c), 21(b), 25 and 29 of the Narcotic Drugs and Psychotropic Substance Act.

3. As per prosecution case, police received information about assembly of 3-4 youths at a secluded place in a old market and indulging in trade of intoxicating substance and also using the same. A raid was conducted, 4 persons were apprehended including this petitioner. From two other co-accused persons recovery of 8.06 gram and 7 gram of smack were made. From petitioner and co-accused Jitu Kumar, no recovery has been made.



4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the FIR, it is clear that nothing incriminating has been recovered from the person or possession of this petitioner. For recovery of contraband from other co-accused persons, liability could not be fastened upon this petitioner. Moreover, recovery is less than the commercial quantity. Petitioner is having clean antecedent. Petitioner is in custody since 19.04.2025 and charge-sheet has been submitted.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and also considering the clean antecedent of the petitioner coupled with his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Principal District and Sessions Judge, Vaishali at Hajipur/concerned court in connection with Sarai P.S. Case No. 87 of 2025, subject to the conditions mentioned in



Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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