

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45107 of 2025

Arising Out of PS. Case No.-304 Year-2024 Thana- BIHIA District- Bhojpur

Raju Singh S/o Baij Nath Singh R/o Village- Makhdumpur, P.S.- Bihia,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-07-2025 Heard Mr. Anil Kumar Singh, learned counsel for the

petitioner and Mr. Ganesh Prasad Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bihia P.S. Case No. 304 of 2024, F.I.R. dated 05.10.2024 for the offences punishable under Sections 20(b)(ii), 20(b), 22, 27(A) and 8(1) of the N.D.P.S. Act, 1985.

3. Recovery is of 7.406 kg. of *ganja*.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. It appears from the F.I.R. and seizure list that altogether, 7.406 kg. *ganja* was recovered from the house of co-accused person, namely, Guddu Singh @ Ram Pratap Singh and the name of the petitioner has been transpired



on the basis of the confessional statement of the co-accused person, namely, Guddu Singh @ Ram Pratap Singh. As per confessional statement, it appears that he has purchased the contraband from the petitioner and one Chandan Singh. Learned counsel for the petitioner further submits that the allegation as alleged is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. It appears from the F.I.R. that nothing has recovered from the conscious possession of the house of the petitioner and except the confessional statement of the co-accused person, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts that the petitioner name has been transpired on the confessional statement of the co-accused person and the recovered contraband is less than commercial quantity, 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 Sessions Judge-XVII, Bhojpur at Ara in connection with Bihia P.S. Case No. 304 of 2024, 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 her absence on two consecutive dates without sufficient reason, her 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 her 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)

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