

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47813 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- YADOPUR District- Gopalganj

Deba Musahar S/o Rajdeo Rawat @ Jagdev Raut Resident of Village -
Karaiya, PS- Gopalganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Umeshanand Pandit

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 02-09-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 26 of 2025 arising out of Yadopur P.S. Case No. 36/2025 dated 27.02.2025 registered for the offence punishable u/ss 8(c) and 21(b) of the N.D.P.S. Act.

3. As per the prosecution case, total 8 grams of Smack was recovered from the possession of the co-accused Rintu Sah and 5 grams of smack with Rs. 400/- in cash was recovered from the possession of the co-accused, Shirato Devi @ Sirato Devi.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has sprung up in this case on mere suspicion. Nothing has been recovered from the conscious possession of the petitioner rather the recovery was made from the possession of the co-accused person who has already been granted bail by this court vide order dated 18.08.2025 passed in Cr. Misc. No. 48631/2025. The seized contraband is less than commercial quantity. The petitioner has no concern with the alleged recovery. The petitioner has two criminal antecedents in which he is on bail in both cases as stated in para 3 of the bail petition. The petitioner is in custody since 07.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Sessions Trial No. 26 of 2025 arising out of Yadopur P.S. Case No. 36/2025, with the condition:-



(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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