

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53316 of 2025

Arising Out of PS. Case No.-204 Year-2025 Thana- ARWAL District- Jehanabad

Chandan Kumar S/O Mahendra Chaudhary R/O Village- Arwal Sipah, Ward No.8, Mallah Toli, P.S and Distt.- Arwal (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

4 05-12-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 8(c), 21(b) of the N.D.P.S. Act.

3. The allegation in the first information report relates to recovery of 25.710 grams of smack and cash of Rs. 31,410/- from the possession of the petitioner.

4. Learned counsel for the petitioner submits that he has been falsely implicated in this case because of his one antecedent, however, the same was not under the provisions of NDPS Act. It is further submitted that the mandatory provisions of search and seizure have been violated as there is no independent witness to the seizure list and both the witnesses are police personnel. The quantity allegedly recovered is over small quantity but much less than commercial quantity. The



petitioner is in custody since 03.06.2025 and a supplementary affidavit has been filed indicating the fact that not only charge-sheet has been submitted against the petitioner but charges have also been framed in the learned court concerned on 25.09.2025. The petitioner further undertakes to fully cooperate in the trial.

5. Learned APP for the State has opposed the application for bail.

6. Taking into consideration the facts and circumstances and also considering the fact that the petitioner is in custody since 03.06.2025 with no antecedent of similar nature and charges have already been framed, let the above named petitioner, 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 Arwal P.S. Case No. 204 of 2025, subject to the conditions that:

(I) One of the bailors would be the father/mother of the petitioner.

(II) The petitioner would appear physically on each and every date in the learned court below and would cooperate in the conclusion of trial and if the petitioner does not appear on two consecutive dates without any substantial and



satisfactory reason, the learned court below would be at liberty to cancel his bail bonds and also, if the petitioner is found to indulge in a similar nature of case under the NDPS Act, his bail in the present case would also stand cancelled.

(Soni Shrivastava, J)

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