

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55721 of 2025

Arising Out of PS. Case No.-130 Year-2025 Thana- RAMGARHWA District- East
Champaran

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Sanjay Kumar Dubey @ Sanjay Pandey @ Sanjay Dubey son of Late
Premchand Dubey Resident of village- Sirisiya Maal Brita tola Ward No 01,
PS- Nakardei, District -East champaran Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kanishk Kaustubh, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 23-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Ramgarhwa PS Case No. 130 of 2025 instituted for the offences
under Sections 8, 18, 21(c), 22(c) & 29 of the NDPS Act.

3. Prosecution allegation, in short, is that there is
recovery of 600 gram smack from the shop of co-accused.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. Learned counsel for the petitioner



further submits that petitioner was not apprehended on the spot, rather his name was disclosed by apprehended co-accused person. Petitioner has no concern with the recovered contraband. The petitioner is in custody since 12-06-2025 and has got two criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no recovery from the petitioner's possession and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ramgarhwa PS Case No. 130 of 2025, subject to the following conditions: (I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the



bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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