

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53524 of 2025**

Arising Out of PS. Case No.-31 Year-2025 Thana- ITARHI District- Buxar

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Shailendra Rajbhar @ Shailendra Rai S/o Baij Nath Rajbhar @ Baidh Nath
Rajbhar R/o vill - Deharia, P.S.- Itarhi, Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr.Kamal Deo Sharma, Advocate

For the Opposite Party/s : Ms.Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Itarhi
P.S. Case No.31 of 2025 registered for the offence punishable
under Sections 20(B)(ii)(C), 29 of the NDPS Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent.

4. The petitioner is named in the FIR and as per the
FIR he has been implicated because co-accused Miku Kumari
gave statement to the police that the seized Ganja was brought
by Shailendra Rajbhar (Petitioner) along with whom Miku



Kumari use to do business of selling Ganja, i.e. how the petitioner has been implicated in the present case.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He further submits that the petitioner has no criminal antecedent and is in custody since 05.07.2025. Learned counsel for the petitioner categorically submits that the total 49.507 Kg. of Ganja have been recovered from the house of the co-accused, Miku Kumari and no recovery of any quantity has been done from the petitioner. The petitioner has simply been implicated on the statement of the co-accused, Miku Kumari. Learned counsel for the petitioner, therefore, prays for grant of bail.

6. On the other hand, learned APP appearing for the State opposes the prayer for bail of the petitioner.

7. Considering the fact that no recovery has been done from the petitioner or from the house of the petitioner and that the petitioner has been implicated in this case merely on the basis of statement made by co-accused, Miku Kumari, also given the fact that the petitioner has clean antecedent and is in jail since 05.07.2025, I am inclined to grant bail to the petitioner.



8. The petitioner above named, is directed to be released 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 Itarhi P.S. Case No.31 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates without substantial reason 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.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the



above-mentioned order shall not be delayed for purpose of or in
the name of verification.

9. Accordingly, the prayer for bail is allowed.

(Alok Kumar Sinha, J)

Prakash Narayan

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