

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64419 of 2025

Arising Out of PS. Case No.-285 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Vishal Kumar S/O Sandhir Rai @ Sandhir Kumar Roy Resident Of Village-
Chak Jagdish Lalpokhar, Ward No. 4, P.s.- Hajipur Sadar, Dist.- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with N.D.P.S. Case No. 36 of 2025 arising out of Hajipur Sadar P.S. Case No. 285/2024 registered for the offence under Sections 399, 403, 412 of the I.P.C., Sections 25(1-b)a, 26, 35 of the Arms Act and Sections 8, 20(b)(ii)(c) of the N.D.P.S. Act.

3. The petitioner is named in the F.I.R. and is in custody since 14.06.2024.

4. As per the FIR, the police received secret information about assembly of more than one dozen miscreants, consequent upon, a raid was conducted during



which five accused persons were apprehended. Recovery of 1.410 kg of *charas* was made from apprehended accused persons and apart from that fire arms, mobile phone and cash was also recovered. The apprehended accused persons disclosed the name of the petitioner who fled away from the spot along with some other accused persons.

5. Learned counsel appearing on behalf of the petitioner submitted that neither arms nor any contraband like *charas* was recovered from the conscious physical possession of the petitioner. It is submitted that merely on the ground of suspicion arising out of his five criminal antecedents the petitioner was falsely implicated with this case without having any cogent material. It is next submitted that co-accused namely Bittu Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 30.04.2025 passed in Cr. Misc. No. 24613 of 2025. While concluding the argument, it is submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP, opposed the prayer of bail.



7. In view of aforesaid facts and submission and taking note of the fact that no incriminating article either arms or psychotropic substance was recovered from the conscious physical possession of the petitioner, where petitioner remains in custody since 14.06.2024, accordingly petitioner above named, is directed to be released on bail in connection with N.D.P.S. Case No. 36 of 2025 arising out of Hajipur Sadar P.S. Case No. 285/2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-I-cum- Special Judge, N.D.P.S., Vaishali at Hajipur /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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