

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56913 of 2025

Arising Out of PS. Case No.-64 Year-2024 Thana- PALANWA District- East Champaran

Sahil Khan Son of Shahid Khan Resident of Village- Ward no. 32 Now 38,
Near Masjid, Agarwa, Motihri, Po- Motihari, Ps- town Motihari, Dist- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohd Rustam Hussain, Advocate

For the State : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-08-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Palanwa P.S. Case No. 64 of 2024 registered for the offence under Sections 8, 20(b)(ii)(c), 23(c), 25 and 29 of the Narcotic Drugs and Psychotropic Substance Act, lodged on 27.04.2024 by the informant, Ramesh Kumar Mahto.

3. As per the prosecution story, the informant alleged that on secret information, a Truck was intercepted and there is recovery/seizure of 22 packet ganja totaling 123.800 Kilogram and the driver is in custody. This led to the F.I.R.

4. Learned counsel for the petitioner has taken this Court to Annexure-P/2 to show that pursuant to the purchase of the Truck, he entered into an agreement on 13.04.2024 with one Ramashish Kumar details of which is/are available for eleven months from 13.04.2024 to 14.03.2025 for a consideration amount of Rs.85,000/- per month. This agreement has been



signed and put on non-judicial stamp on 13.04.2024. He further submits that the petitioner is a student at Ram Krishna Dharmarth Foundation University, Bhopal pursuing his management studies. The last submission is that he has no criminal antecedent.

5. Learned APP opposes the prayer for bail submitting that upon interception 123.800 Kilogram ganja recovered/seized.

6. Considering the submissions of the parties as also the fact that the driver was carrying the alleged recovered/seized item and driving the Truck namely Musafir is in custody, this petitioner has no criminal antecedent, is a student, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sessions-cum-Special Judge, East Champaran at Motihari, in connection with Palanwa P.S. Case No. 64 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following



conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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