

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59106 of 2025

Arising Out of PS. Case No.-181 Year-2025 Thana- BAHERI District- Darbhanga

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Siya Mandal, male, Son of Late Mantun Mandal, R/o Vill- Baghauni, P.S.-
Baheri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur, Adv.

Ms. Madhumala Kumari, Adv.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 12-09-2025 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in
connection with Baheri P.S. Case No. 181 of 2025 registered for
the offences under Sections 20(b)(ii)b and 22 of the Narcotic
Drugs and Psychotropic Substances Act, 1985.

3. The prosecution case is to the effect that the
informant, who is the Sub-Inspector of Police, had received an
information that the petitioner is engaged in sale and purchase



of *Ganja* from his house. On such information, a raid was conducted and on seeing the police personnel, one person is said to have fled away. On search, 300 gms. of *Ganja* was recovered from the house of the petitioner.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no recovery has been made from his conscious possession. It has further been submitted that the petitioner is an eighty years old man and the prosecution story is palpably false as he would not manage to flee when the police had reached at the place of occurrence. It has lastly been submitted that the petitioner has clean antecedent.

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

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on his furnishing bail-bonds in the sum 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 Baheri P.S. Case No. 181 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as 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 before the learned Court below on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail-bonds of the petitioner will be liable to be cancelled by the concerned learned Court below.

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

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court below shall take necessary steps for cancellation of his bail-bonds. However, the acceptance of bail-bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.



7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

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