

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63416 of 2025**

Arising Out of PS. Case No.-71 Year-2024 Thana- BAUNSI District- Araria

Prabhu @ Prabhu Mahto Son of Late Jagdish Mahto R/o Village- Radhanagar,  
Ward No. 09, P.S. - Kasba, Dist. - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                                      |
|----------------------|---|----------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Pankaj Kumar Jha, Advocate<br>Mr. Vijay Kishore Bharti, Advocate |
| For the State        | : | Mr. Mithlesh Kumar Khare, APP                                        |

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      19-09-2025                      Heard Mr. Pankaj Kumar Jha, learned counsel for  
the Petitioner and Mr. Mithlesh Kumar Khare, learned APP for  
the State.

2. Petitioner seeks regular bail in connection with  
Special N.D.P.S Case No. 110/2024 arising out of Bausi P.S.  
Case No. 71 of 2024 dated 17.04.2024 registered for the  
offences punishable under Sections 20 and 22 of the N.D.P.S.  
Act.

3. The main submissions advanced by the petitioner's  
counsel are that this is the third attempt of the petitioner to get  
the relief of bail and in the second rejection order dated  
11.07.2025, the petitioner's prayer was not considered mainly  
on this ground that co-accused, Bablu Kumar @ Bablu Mahto



@ Babul, who has been granted bail by this Bench vide order dated 13.09.2024 passed in Cr. Misc. No. 46940/2024, misused that privilege and while rejecting the petitioner's prayer this Court gave the liberty to the petitioner to renew his prayer after the framing of charge and accordingly, in the light of this liberty the petitioner has renewed his prayer for bail. It is further submitted that the petitioner has been languishing in jail since 18.04.2024 and his trial has started and upon him, the charges have been framed on 31.07.2025 and there may be delay in the conclusion of petitioner's trial.

4. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Though the petitioner's prayer has been rejected by this Court on merit, however, considering petitioner's present custody period, the stage of his trial and his fair and clean antecedent, this Court is now inclined to release the petitioner on bail. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Special N.D.P.S Case No. 110/2024 arising out of Bausi P.S. Case No. 71 of 2024 **on the following conditions:-**



(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as and when directed by the trial Court and failing which, in case of his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial Court.

(ii) If the petitioner tampers with the evidence or influences the witnesses, in that case, the prosecution will be at liberty to move for cancellation of his bail.

(iii) One of the bailors shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(iv) The trial court will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the trial court shall take strict action against him by cancelling his bail bond.

**(Shailendra Singh, J)**

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