

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71512 of 2025

Arising Out of PS. Case No.-138 Year-2025 Thana- GWALPARA District- Madhepura

Abhishek Kumar S/o Sujit Kumar Yadav R/o vill - Ramganj, ward no. 3, P.S.-
Gwalpara, Distt.- Madhepura, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Anand, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 31-10-2025 Heard the learned counsel for the petitioner and
learned APP for the State.

2. Petitioner, who is in custody, seeks bail in connection with Gwalpara P.S. Case No. 138 of 2025 registered for the offences punishable under Sections 8, 20(ii)(b) of the NDPS Act.

3. As per the prosecution case, the police got a secret information that two persons were travelling by motorcycle carrying ganja in huge quantity. The motorcycle was intercepted and two persons were apprehended, who disclosed their names as Sujit Kumar Yadav and Abhishek Kumar (petitioner). Upon search of the motorcycle, 4.37 kilograms of ganja were recovered from their joint possession.

4. The learned counsel for the petitioner submits that

the petitioner has falsely been implicated in this case and no such recovery as alleged has been recovered from his conscious possession. It has been stated that the petitioner has a clean antecedent and he is in custody since 24.07.2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (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 Gwalpara P.S. Case No. 138 of 2025 subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

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

(iii) In case of absence on two consecutive dates 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 bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

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

(Sourendra Pandey, J)

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