

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82414 of 2025

Arising Out of PS. Case No.-272 Year-2025 Thana- BARACHATTI District- Gaya

Munesh Kumar S/O Hakim Singh Yadav @ Hakim Singh R/O Village-
Dulapur, P.S- Aucha, District- Mainpuri, UP.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Syed Asgher Najmi, Advocate Mr. Ashhutosh Kumar Mishra, Advocate Ms. Wajeeha Jafri, Advocate
For the Opposite Party/s :		Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-12-2025 Heard Md. Syed Asgher Najmi, learned counsel for
the petitioner and Mr. Bharat Bhushan, learned APP for the
State.

2. The petitioner is in judicial custody in connection
with Barachatti P.S. Case No. 272 of 2025 for the offence
punishable under Sections 8/17(c)/18(c) of the Narcotic Drugs
and Psychotropic Substances Act lodged on 29.07.2025 by the
informant, Rameshwar Yadav.

3. As per the prosecution story, the informant alleged
that during patrolling, it intercepted a truck bearing registration
no. NL01-AF-4044 and there is recovery/seizure of altogether
40 kgs. of Doda. The petitioner being the driver of the said
truck, got arrested which followed the FIR.



4. Learned counsel for the petitioner submits that he had no knowledge about the presence of Doda, has no criminal antecedent and in any case, the same is below the commercial quantity of 50 kg.

5. Learned APP, Mr. Bharat Bhushan opposes the prayer though concedes that it is below the commercial quantity.

6. Considering the submissions of the parties as also the fact that the petitioner has no criminal antecedent, is in custody since 30.07.2025, charge-sheet submitted, the seized item is below the commercial quantity, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge Narcotic Drugs and Psychotropic Substances Act, Gaya, in connection with Barachatti P.S. Case No. 272 of 2025 subject to 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 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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for year to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(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 his bail bonds.

(Rajiv Roy, J)

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