

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77687 of 2025

Arising Out of PS. Case No.-127 Year-2025 Thana- JIRADEI District- Siwan

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Jitendra Ram S/O Late Lalu Ram @ Lallu Ram Resident of village- Jamapur,
P.S.- Jiradeyi, Dist.- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Adv

Ms. Kumari Anupam

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 18-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Jiradeyi P.S. Case No. 127 of 2025, instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act and 20(b)(ii)A of the N.D.P.S. Act and 317(5) of
B.N.S.

3. The prosecution case, in short, is that total 4.12
liters of liquor and 450 grams of Ganja was recovered from
Motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is submitted that motorcycle in question does not belong to the petitioner. It is further submitted that seized contraband is less than small quantity. The recovered contraband is below the commercial quantity, hence, Section 37 is not application in the present case. There is no compliance of Sections 42 and 50 of the NDPS Act. The petitioner is in custody since 02.09.2025 and has got nine criminal antecedents in which he is on bail. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge if not already framed*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jiradeyi P.S. Case No. 127 of 2025, subject



to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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