

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85111 of 2024

Arising Out of PS. Case No.-119 Year-2022 Thana- JOGBANI District- Araria

=====

Sawan Kumar Paswan, S/o Dharmendra Paswan Resident of village -
Matiyari ward No 2, PS- Farbisganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Ms. Manisha Khushi- Advocate

For the Opposite Party/s : Mr. Rabindra Kumar- A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-02-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 20, 21, 22 and 23 of the
N.D.P.S. Act.
3. The learned counsel for the petitioner submits that
the petitioner is in custody since 05.02.2024, he is a person with
clean antecedent and allegation is of recovery of 34 kg. of ganja
from Apache motorcycle and 37.400 kg. of ganja from Bajaj
Pulsar motorcycle. It is next submitted that petitioner had earlier
moved this Court seeking anticipatory bail by filing Cr. Misc.
No.27152 and the same came to be rejected by an order dated
21.07.2023. It is next submitted that thereafter, petitioner moved
this Court seeking regular bail by filing Cr. Misc. No.58464 of



2024 and the same was permitted to be withdrawn by an order dated 31.08.2024. It is next submitted that petitioner was not apprehended from the place of occurrence and he came to be implicated in the instant case based on the fact that one of the seized motorcycle belongs to him. It is also submitted that when petitioner had approached this Court seeking anticipatory, he had taken a specific plea that he had sold the motorcycle to Md. Rizwan, as such, he had also given the entire address of Md. Rizwan in the said anticipatory bail application. It is next submitted that petitioner is in custody since 05.02.2024 and charges have been framed.

4. It is reiterated and submitted that the petitioner merely because his motorcycle was seized from the place of occurrence, he came to be implicated, when he has no concern with the said motorcycle, when the offence was committed. It is next submitted that charges have been framed and petitioner will not abscond if privilege of bail is granted rather shall cooperate in the trial to prove his innocence.

5. Learned A.P.P. Mr. Rabindra Kumar opposes the bail application.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner,



above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge/ Successor Court, Araria in connection with Jogbani P. S. Case No.119 of 2022, subject to the condition that one of the bailors of the petitioner shall be his father, namely, Dharmendra Paswan.

7. The application stands allowed.

8. However, in the event, if the learned trial Court comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, the learned trial Court shall forthwith cancel his bail bonds after recording reasons and shall take all coercive steps to ensure that petitioner is behind bar.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

