

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82434 of 2025

Arising Out of PS. Case No.-525 Year-2024 Thana- AKBARPUR District- Nawada

Lalendra Chauhan @ Nagendra Chauhan Son of Late Babulal Chauhan R/o
Village- Kumhar Bigha, Lakshmipur, P.S.- Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-12-2025 Heard Mr. Shivendra Kumar Sinha, learned counsel
for the petitioner and the State.

2. The petitioner is in judicial custody in connection with Akbarpur P.S. Case No. 525 of 2024 for the offence punishable under Sections 8(b), 20(a)(i) of the N.D.P.S. Act, 1985 lodged on 07.12.2024 by the informant, Nawneet Kumar.

3. As per the prosecution story, the informant alleged that on secret information of cultivation of *ganja* plant, it was raided and there is recovery/seizure of 8 plants weighing 19 kg. of *ganja*. This led to the FIR.

4. Learned counsel for the petitioner submits that altogether with the plant, it has been weighed as 19 kg. which is below the commercial quantity. He do not have criminal antecedent and due to village politics, got implicated. Last



submission is that similar situate other persons have been granted bail by coordinate bench in **Cr. Misc. No. 32356 of 2025 (Pancho Chauhan & anr. vs. State of Bihar)** on 20.05.2025.

5. Learned APP opposes the prayer submitting that number of people with number of seizures have been made which include the seizure from the petitioner.

6. Considering the submissions of the parties as also the fact that the petitioner has no criminal antecedent, is in custody since 31.07.2025, similar situate persons have been granted relief, 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 Principal & District Judge, Nawada, in connection with Akbarpur P.S. Case No. 525 of 2024 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 fortnight for next six months 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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