

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80883 of 2025

Arising Out of PS. Case No.-132 Year-2013 Thana- SHASTRINAGAR District- Patna

Birbal Sao @ Balbir Sah @ Birbal Prasad Son of Late Vasavan Sao @
Basawan Sah Resident of village Anandpur / Anandpur Cant, P.S. Bihta,
District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 20 and 22
of the N.D.P.S. Act.

3. The case of the prosecution, in short, is that, total
2.5 kg of ganja was recovered from the possession of the co-
accused Vishnu Kumar.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Learned
counsel for the petitioner has submitted that nothing has been
recovered from the conscious possession of the petitioner and
his name has transpired in this case only on the basis of the
confessional statement of the apprehended co-accused Vishnu
Kumar, from whose possession the said contraband was



recovered. Moreover, the petitioner is languishing in judicial custody since 29.08.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and submitted that petitioner is having criminal antecedent of two cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Shastri Nagar P.S. Case No. 132 of 2013 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, N.D.P.S. Act/concerned trial Court, with a condition:-

(i) that as this case is of the year 2013, the petitioner will co-operate in the trial and shall remain physically present on all dates before the trial court.

7. Accordingly, the application stands allowed.

(Ashok Kumar Pandey, J)

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