

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82483 of 2025

Arising Out of PS. Case No.-427 Year-2025 Thana- Excise P.S. District- Siwan

Subhash Pandey Son of Late Triloki Nath Pandey Resident of Village- Gopa
(Kopa) Basdila, P.S.- Kopa, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Anuj, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-12-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Excise P.S. Sadar Siwan Case No. 427 of 2025 for the offence punishable under Sections 20(B), 11(c), 22(c 25 of N.D.P.S. Act lodged on 26.06.2025 by the informant, Birendra Kumar.

3. As per the prosecution story, the informant alleged that during vehicle checking, a Swift Dzire Car was intercepted and there is recovery/seizure of 12 kgs of *ganja*. This led to the FIR.

4. Learned counsel for the petitioner submits that the car does not belong to him, got falsely implicated. The submission is that he has no criminal antecedent, is in custody since 27.06.2025 and in any case, the recovery/seizure is below



the commercial quantity.

5. Learned APP opposes the prayer submitting that there is recovery of 12 kg. of *ganja*.

6. Taking into account the aforesaid facts as also the recovery which is 12 kg., this petitioner has no criminal antecedent and is in custody since 27.06.2025, 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 District and Sessions Judge, Siwan, in connection with Excise P.S. Sadar Siwan Case No. 427 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 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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